

**AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. §1251 et seq.; the "Act"); Hawaii Revised Statutes (HRS), Chapter 342D; and Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55, Department of Health (DOH), State of Hawaii,

AQUA ENGINEERS, INC.

(hereinafter PERMITTEE),

is authorized to discharge secondary treated wastewater and storm water runoff associated with industrial activity to the receiving waters named the Kaukonahua Stream and Waikele Stream through Outfall Serial Nos. 001, 002 and 003 at coordinates:

Outfall Serial No.	Effluent Description	Receiving Water	Outfall Latitude	Outfall Longitude
001	Secondary treated wastewater	Kaukonahua Stream	21° 30' 01" N	158° 03' 02" W
002	Storm water associated with industrial activity	Waikele Stream	21° 28' 31" N	158° 02' 41" W
003	Storm water associated with industrial activity	Waikele Stream	21° 28' 31" N	158° 02' 35" W

from its Schofield Barracks Wastewater Treatment Plant (facility), located at 393 Airdrome Road, Wahiawa, Hawaii,

in accordance with the effluent limitations, monitoring requirements and other conditions set forth herein, and in the DOH "Standard NPDES Permit Conditions (Version 15)", that is available on the DOH, Clean Water Branch (CWB) website at: <http://health.hawaii.gov/cwb/site-map/home/standard-npdes-permit-conditions/>. The Facility is classified as an existing major discharge.

All references to Title 40 of the Code of Federal Regulations (CFR) are to regulations that are in effect on July 1, 2018, except as otherwise specified. Unless otherwise specified herein, all terms are defined as provided in the applicable regulations in Title 40 of the CFR.

**FINAL PERMIT
August 15, 2019**

Failure to comply with any condition, requirement, and/or limitation in this permit is an enforceable violation and your NPDES permit may be terminated. Examples of enforceable violations include, but are not limited to: Unauthorized discharges where a pollutant was not disclosed in the NPDES application, but was detected by monitoring only requirements in the NPDES permit or by other means determined by the DOH; failure to sample, analyze, or submit water quality results as required in the NPDES permit; and discharging pollutants in locations that were not authorized in the NPDES permit. If you violate Hawaii Revised Statutes (HRS), Chapter 342D, you may be subject to penalties of up to \$25,000 per violation per day and up to two years in jail. Falsification of information, including providing information in the NPDES application that does not match what is actually occurring at the project site/facility, may result in criminal penalties for the Permittee and their authorized representative as provided in Clean Water Act, Section 309 and HRS, Section 342D-35.

This permit will become effective on **October 1, 2019**.

This permit and the authorization to discharge will expire at midnight, **October 1, 2024**. The Permittee shall submit a renewal application at least one (1) year prior to the expiration date of this permit.

Signed this 15th day of August 2019.



(For) Director of Health

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A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning from the effective date of this permit and lasting through midnight on the expiration date of this permit, the Permittee is authorized to discharge secondary-treated wastewater from Outfall Serial No. 001 only (Kaukonahua Stream), at a maximum of 36 calendar days/year only when maintenance is being performed on the irrigation ditch or when the irrigation system is satiated and the 20 calendar days of storage capacity has been expended; and storm water associated with industrial activity from Outfall Serial Nos. 002 and 003 to Waikele Stream. **Discharge of primary-treated wastewater, not treated by the membrane bioreactors and ultraviolet disinfection, into Kaukonahua Stream or Waikele Stream, is strictly prohibited.** The discharges shall be limited and monitored by the Permittee as specified below:

1. Secondary-Treated Wastewater (Outfall Serial No. 001)

a. Limitations and Monitoring Requirements

Effluent Characteristics	Discharge Limitations ¹					Monitoring Requirements	
	Average Monthly	Average Weekly	Maximum Daily	Annual Geometric Mean	Units	Measurement Frequency	Sample Type
Flow ¹	NL	NL	--	--	MGD	Continuous	Recorder/Totalizer
Biochemical Oxygen Demand (BOD) (5-day @ 20 Deg. C) ¹	30 ²	45 ²	--	--	mg/L	5/Week ³	24-Hour Composite
	801 ²	1,201 ²	--	--	lbs/day		
	The average monthly percent removal shall not be less than 85 percent						
Total Suspended Solids (TSS) ¹	30 ²	45 ²	--	--	mg/L	5/Week ³	24-Hour Composite
	801 ²	1,201 ²	--	--	lbs/day		
	The average monthly percent removal shall not be less than 85 percent						
pH	Not less than 6.0 nor greater than 8.0 Standard Units					5/Week ³	Grab
Total Nitrogen	--	--	--	18.21 ⁴ 13.31 ⁵	lbs/day	Once/Month	24-Hour Composite
Total Phosphorus	--	--	--	3.50 ⁴ 2.10 ⁵	lbs/day	Once/Month	24-Hour Composite
Turbidity	--	--	15 ⁴ 5.5 ⁵	--	N.T.U.	Once/Month	24-Hour Composite
Copper, Total Recoverable	--	--	6.25	--	µg/l	Once/Month	24-Hour Composite
Nickel, Total Recoverable	--	--	5.01	--	µg/l	Once/Month	24-Hour Composite

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Effluent Characteristics	Discharge Limitations ¹					Monitoring Requirements	
	Average Monthly	Average Weekly	Maximum Daily	Annual Geometric Mean	Units	Measurement Frequency	Sample Type
Selenium, Total Recoverable	--	--	20	--	µg/l	Once/Month	24-Hour Composite
Zinc, Total Recoverable	--	--	22.49	--	µg/l	Once/Month	24-Hour Composite
Enterococci	--	--	33 ⁶	33 ⁷	#/100 ml	Once/Month	Grab
Priority Pollutant Scan ⁸	--	--	Report	--	µg/l	Once/Year	Composite/Grab
Whole Effluent Toxicity <i>Pimephales promelas</i> ⁹	Pass ¹⁰				--	Once/Month	24-Hour Composite
Whole Effluent Toxicity <i>Ceriodaphnia dubia</i> ⁹	Pass ¹⁰				--	Once/Month	24-Hour Composite

N/L No limitation at this time. Monitoring and reporting required only.

MGD Million gallons per day

mg/l Milligrams per liter

lbs/day Pounds per day

ml Milliliters

N.T.U. Nephelometric Turbidity Units

¹ The Permittee shall monitor both the influent and effluent.

² The mass emission rates for discharge limitations for Biochemical Oxygen Demand (5-day) and Total Suspended Solids are based on a discharge flow of 3.2 MGD.

³ The Permittee shall sample each day of the week (Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, and Sunday) at least once every two months.

⁴ This limitation applies during the wet season (November 1st through April 30th).

⁵ This limitation applies during the dry season (May 1st through October 31st).

⁶ This limitation is a single sample maximum.

⁷ This limitation is a monthly geometric mean.

⁸ The Permittee shall conduct a priority pollutant scan on the secondary-treated effluent at least once per calendar year when discharging. The priority pollutant scan shall include testing for those parameters listed in Appendix 1, except asbestos, and shall be conducted in accordance with 40 CFR Part 136 and on the same day as whole effluent toxicity testing.

⁹ The Permittee shall conduct whole effluent toxicity testing in accordance with the provisions of Part B of this permit and on the same day as priority pollutants.

¹⁰ This limitation is as described in Part B of this permit.

b. Sampling Locations

- (1) The Permittee shall take all influent samples downstream of any additions to the trunk sewer, upstream of any in-plant return flows, and prior to treatment.

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- (2) The Permittee shall take all effluent samples downstream from any additions to the treatment plant and any in-plant return flows or disinfection units, and prior to mixing with the receiving waters.
- (3) The Permittee shall develop a new internal monitoring location to sample BOD, TSS, and pH in secondary effluent before comingling with any other wastestream including, but not limited to R1-water or storm water. A separate outfall designation is necessary to distinguish this location from other parameters monitored in the total effluent and shall be document in the Effluent Monitoring Program described below.
- (4) The Permittee shall not change sampling locations without notification to and the approval from the DOH.

c. Other Discharge Requirements

- (1) The discharge of primary treated effluent alone or commingled with any other wastestream is prohibited except as described in Standard Conditions section 17 and is subject to reporting requirements in Standard Conditions section 16.f.
- (2) The Permittee shall notify the DOH of any anticipated discharge into Kaukonahua Stream at least five working days prior to its occurrence. The Permittee shall also notify the DOH of any emergency discharge which has occurred or is expected to occur within 24 hours of the commencement of the discharge.
- (3) The Permittee shall post warning signs as soon as the Permittee is aware there is a discharge from the facility to Kaukonahua Stream. The warning signs shall be posted along Kaukonahua Stream from the outfall until its intersection with Waikoloa Gulch at locations where the stream is accessible to the public. The signs shall warn the public that a wastewater discharge from the facility has occurred and shall remain posted until at least 24 hours after the discharge has ceased.
- (4) The Permittee shall notify the DOH by email at cleanwaterbranch@doh.hawaii.gov of effluent enterococcus results as soon as they become available and in the Discharge Monitoring Report as required in Part G of this permit.

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d. Effluent Monitoring Program

Within 30 calendar days after the effective date of this permit, the Permittee shall submit an updated/revised Effluent Monitoring Program which complies with Part A of this permit. The program shall include at a minimum, but not be limited to the following:

- (1) Sampling location map;
- (2) Sample holding time;
- (3) Preservation techniques;
- (4) Test method and method detection level; and
- (5) Quality control measures.

The Permittee shall continue to implement the current plans until the revised programs are submitted to the DOH. The revised programs should be implemented beginning the month they are submitted. The Permittee shall address all comment regarding the plans to the DOH's satisfaction.

The DOH reserves the right to require the Permittee to revise the program, as appropriate, pursuant toward compliance with the terms and conditions of this permit.

2. Storm Water Discharges Associated with Industrial Activity

a. Limitations and Monitoring Requirements

Storm water associated with industrial activity shall be monitored and limited as specified in the table below and comply with non-numeric effluent limitations in Appendix 2.

Parameter	Units	Minimum Monitoring Requirements		
		Benchmark ¹	Monitoring Frequency	Sample Type ²
Flow	MGD	Report	1/Year ³	Estimated
Total Nitrogen	µg/L	4	1/Year ³	5
Total Suspended Solids	mg/l	4	1/Year ³	5

MGD Million gallons per day
µg/L Micrograms per liter

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mg/L Milligrams per liter

- ¹ The Permittee shall monitor and report the parameter analytical test results. Pollutant concentration levels exceeding the benchmark value is not a permit violation, however, if corrective actions are required as a result of a benchmark exceedance, failure to complete the required corrective action is a permit violation. See Appendix 2.
- ² The Permittee shall collect samples for analysis from a discharge resulting from a measurable storm event. A measurable storm event means a precipitation event that results in a measurable amount of precipitation (i.e., a storm event that results in an actual discharge) and that follows the preceding storm event by at least 72 hours (3-days). The 71-hour interval does not apply if you document that less than a 72-hour interval is representative for local storm events. Monitoring shall be conducted once per year unless discontinued in accordance with Appendix 2, Section 6.2.4.1 and discontinuance reported to the DOH.
- ³ Monitoring shall be conducted once per year unless discontinued in accordance with Appendix 2, Section 6.2.4.1 and discontinuance reported to the DOH.
- ⁴ The Permittee shall monitor and report the parameters analytical results.
- ⁵ The Permittee shall take a minimum of one grab sample from a discharge resulting from a measurable storm event. Samples must be collected within the first 30 minutes of a discharge associated with a measurable storm event. If it is not possible to collect the sample within the first 30 minutes of a measurable storm event, the sample must be collected as soon as practicable after the first 30 minutes and documentation must be kept with the SWPPP explaining why it was not possible to take samples within the first 30 minutes.

b. Monitoring Location

- (1) The Permittee shall take storm water samples just prior to the storm water exiting the facility.
- (2) If the Permittee determines that storm water discharged through Outfall Serial Nos.002 and 003 is substantially similar, then the Permittee may monitor only one of the outfalls. The Permittee must provide a demonstration that the outfall monitored is representative for the overall storm water discharges from the facility. The demonstration shall be based on the similarities of the general industrial activities and control measures, exposed materials that may significantly contribute pollutants to storm water, and runoff coefficients of their drainage areas. In choosing which of the substantially identical outfalls from which to sample the Permittee shall select the outfall that has been observed to have the most consistent flow. The demonstration shall be documented in the Storm Water Pollution Prevention Plan and shall include the following information:
 - The locations of the outfalls;
 - The estimated size of the drainage area (in square feet) for each outfall; general industrial activities conducted in the drainage area of each outfall;
 - The control measures being implemented in the drainage area of each outfall;

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- A justification demonstrating that the outfalls are expected to discharge similar storm water; and
 - An estimate of the runoff coefficient of the drainage areas (0.0 no runoff potential to 1.0 all precipitation runs off).
- (3) Storm water sampling locations shall be set in the Storm Water Pollution Prevention Plan.
- (4) The Permittee shall not change sampling locations without notification to the DOH.
- c. Storm Water Pollution Prevention Plan (SWPPP) – formerly Storm Water Pollution Control Plan (SWPCP)

The Permittee must:

- (1) Continue to implement the current SWPCP and subsequent submittals (if applicable), until the Permittee develops and submits to the DOH the updated SWPPP in accordance with Appendix 2 of this permit.
 - (2) Submit the updated SWPPP to the DOH within 60 calendar days after the effective date of this permit.
 - (3) Implement the updated SWPPP upon its submittal to the DOH.
 - (4) Review and update the SWPPP, as well as implement best management practices (BMPs) as necessary so that storm water pollutant concentrations do not exceed water quality criteria.
 - (5) Report any changes of amendments to the SWPPP to the DOH within 30 calendar days from the date the changes were made.
 - (6) Maintain a copy of the SWPPP and documentation of all amendments, as applicable, at the facility.
3. Monitoring Methods
- a. Test procedures for the analysis of pollutants shall conform with regulations published pursuant to Section 304(h) of the Act.
 - b. Unless otherwise noted in this permit, all pollutant parameters shall be determined according to methods prescribed in 40 CFR Part 136,

promulgated pursuant to Section 304(h) of the Act. Applications for the use of alternative test methods shall be submitted according to 40 CFR Part 136.4.

- c. The Permittee shall use test methods with detection limits that reflect the applicable numerical limitations as specified in Chapter 11-54 and must be sufficiently sensitive as defined at 40 CFR 122.21(e)(3) and 122.44(i)(1)(iv). For situations where the discharge limitation is below the detection limits of the available test methods, the test method which has the detection limit closest to the discharge limitation shall be used.

4. Waste Load Allocation (WLA) Implementation and Monitoring Plan

The Permittee shall develop and submit a facility-specific waste load allocation (WLA) implementation and monitoring plan to the DOH when a Total Maximum Daily Load (TMDL), which specifies WLAs applicable to the Permittee's discharge, is approved by the EPA within one year of the approval date of the TMDL.

B. WHOLE-EFFLUENT TOXICITY REQUIREMENTS

1. Monitoring Frequency

The Permittee shall conduct, or have a contract laboratory conduct, monthly static or flow-through acute bioassays on composite effluent samples each month there is a discharge into State waters.

Acute toxicity test samples shall be collected for each point of discharge at the designated NPDES sampling station for the effluent (i.e., downstream from the last treatment process and any in-plant return flows where a representative effluent sample can be obtained).

2. Freshwater Test Species and Methods

Species and short-term test methods for estimating the acute toxicity of NPDES effluents are found in the fifth edition of *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms* (EPA/821/R-02/012, 2002; Table IA, 40 CFR Part 136). The Permittee shall conduct 96-hour static renewal toxicity tests with the species listed below, alternating species each month:

WET Species	Acute Toxicity Method
<i>Pimephales promelas</i>	2000.0
<i>Ceriodaphnia dubia</i>	2002.0

3. Acute WET Permit Limit

The determination of “Pass” or “Fail” from a single-effluent concentration acute toxicity test at the IWC of 100 percent effluent is determined using the Test of Significant Toxicity (TST) approach described in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833-R-10-003, 2010). For any one acute toxicity test, the acute WET permit limit that must be met rejection of the null hypothesis (H_0):

IWC (percent effluent) mean response $\leq 0.80 \times$ Control mean response.

A test result that rejects this null hypothesis is reported as “Pass” on the DMR form. A test result that does not reject this null hypothesis is reported as “Fail” on the DMR form. To calculate either “Pass” or “Fail”, the Permittee must follow the instructions in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document*, Appendix A. If a test

result is reported as “Fail”, then the Permittee must follow Part B.6 (Accelerated Toxicity Testing and TRE/TIE Process) of this permit.

4. Quality Assurance

- a. Quality assurance measures, instructions, and other recommendations and requirements are found in the acute test methods manual previously referenced. Additional requirements are specified below.
- b. Effluent dilution water and control water must be receiving water or lab water, as described in the test methods manual *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms* (EPA/821/R-02/012, 2002). If the dilution water is different from test organism culture water, then a second control using culture water must also be used. If the use of artificial sea salts is considered provisional in the test method, then artificial sea salts shall not be used to increase the salinity of the effluent sample prior to toxicity testing without written approval by the DOH.
- c. If organisms are not cultured in-house, then concurrent testing with a reference toxicant must be conducted. If organisms are cultured in-house, then monthly reference toxicant testing is sufficient. Reference toxicant tests and effluent toxicity tests must be conducted using the same test conditions (e.g., same test duration, etc.).
- d. All multi-concentration reference toxicant test results must be reviewed and reported according to EPA guidance on the evaluation of concentration-response relationships found in *Method Guidance and Recommendations for Whole Effluent Toxicity (WET) Testing* (40 CFR 136) (EPA/821/B-00/004, 2000).
- e. If either the reference toxicant or effluent toxicity tests do not meet all test acceptability criteria in the test methods manual, then the Permittee must re-sample and re-test within 14 calendar days.
- f. If the discharged effluent is chlorinated, then chlorine must not be removed from the effluent sample prior to toxicity testing without written approval by the DOH.
- g. pH drift during the toxicity test may contribute to artifactual toxicity when ammonia or other pH-dependent toxicants (e.g., metals) are present. This problem is minimized by conducting toxicity tests in a static-renewal

or flow-through mode, as recommended in Paragraph 9.5.9 of the test methods manual.

5. Initial Investigation TRE Work Plan

Within 90 calendar days of the permit effective date, the Permittee must prepare and submit to the DOH a copy of its Initial Investigation Toxicity Reduction Evaluation (TRE) Work Plan (1-2 pages) for review. This plan must include steps the Permittee intends to follow if toxicity is measured above the acute WET permit limit and must include the following, at minimum:

- a. A description of the investigation and evaluation techniques that would be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency.
- b. A description of methods for maximizing in-house treatment system efficiency, good housekeeping practices, and a list of all chemicals used in operations at the facility.
- c. An indication of who would conduct the TIEs if a Toxicity Identification Evaluation (TIE) is necessary (i.e., an in-house expert or outside contractor).
- d. A flow chart of the workplan steps.

6. Accelerated Toxicity Testing and TRE/TIE Process

- a. If the acute WET permit limitation is exceeded and the source of toxicity is known (e.g., a temporary plant upset), then the Permittee must conduct one additional toxicity test using the same species and test method. This toxicity test must begin within 14 calendar days of receipt of a test result exceeding the acute WET permit limit. If the additional toxicity test does not exceed the acute WET permit limitation, then the Permittee may return to the regular testing frequency.
- b. If the acute WET permit limit is exceeded and the source of toxicity is not known, then the Permittee must conduct six additional toxicity tests using the same species and test method, approximately every two weeks, over a 12 week period. This testing must begin within 14 calendar days of receipt of a test result exceeding the acute WET

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permit limit. If none of the additional toxicity tests exceed the acute WET permit limit, then the Permittee may return to the regular testing frequency.

- c. If one of the additional toxicity tests (in paragraphs Parts B.6.a or B.6.b) exceeds the acute WET permit limitation, then, within 14 calendar days of receipt of this test result, the Permittee must initiate a TRE using, according to the type of treatment facility, EPA manual *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants* (EPA/833/B-99/002, 1999) or EPA manual *Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations* (EPA/600/2-88/070, 1989). In conjunction, the Permittee must develop and implement a Detailed TRE Work Plan which must include the following: further actions undertaken by the Permittee to investigate, identify, and correct the causes of toxicity; actions the Permittee will take to mitigate the effects of the discharge and prevent the recurrence of toxicity; and a schedule for these actions. The Permittee may discontinue accelerated toxicity testing upon the written approval from the DOH.
- d. The Permittee may initiate a TIE as part of a TRE to identify the causes of toxicity using the same species and test method and, as guidance, EPA manuals: *Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures* (EPA/600/6-91/003, 1991); *Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/080, 1993); *Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/081, 1993); and *Marine Toxicity Identification Evaluation (TIE): Phase I Guidance Document* (EPA/600/R-96-054, 1996). Further, the Permittee may be required by the DOH to initiate a TIE as part of a TRE.
- e. Prior to conducting a TIE, the Permittee must submit a TIE plan to the DOH. The TIE plan, at a minimum must:
 - (1) Discuss previous TIE efforts and other available data useful in developing TIE procedures;
 - (2) Evaluate available operations and effluent data;
 - (3) Identify and discuss site-specific considerations for the TIE effort;
 - (4) Include a comprehensive quality control program;
 - (5) Establish a monitoring program;

- (6) Identify test methods and statistical methods to be used for the TIE effort;
- (7) Identify the TIE procedures for the baseline toxicity tests and TIE manipulations;
- (8) Discuss additional potential analysis that might be helpful in evaluating the causative toxicant(s) or appropriate treatability, such as pollutant scans for toxic effluent;
- (9) Discuss the personnel and their qualifications for the team conducting the TIE results interpretation;
- (10) Include follow-up procedures for use if the TIE is inconclusive; and
- (11) Incorporate all comments received from the DOH and commence the TIE within 14 days of the TIE plan submittal.

7. Reporting of Acute Toxicity Monitoring Results

- a. The Permittee must report on the DMR for the month in which the toxicity test was conducted: “Pass” or “Fail” (based on the Welch’s t-test result), the calculated “percent mean response at IWC”, where:

$$\text{percent mean response at IWC} = ((\text{Control mean response} - \text{IWC mean response}) \div \text{Control mean response}) \times 100,$$

and to assist in evaluation of the test result, the standard deviations for the IWC mean response and the Control mean response.

- b. The Permittee must submit a full laboratory report for all toxicity testing as an attachment to the DMR for the month in which the toxicity test was conducted. The laboratory report must contain: the toxicity test results; the dates of sample collection and initiation of each toxicity test; all results for effluent parameters monitored concurrently with the toxicity test(s); and progress reports on TRE/TIE investigations.
- c. The Permittee must notify the DOH in writing within five business days of exceedance of the acute WET permit limitation. This notification must describe actions the permittee has taken or will take to investigate, identify, and correct the causes of toxicity; the status of actions required by this permit; and schedule for actions not yet completed; or reason(s) that no action has been taken.

8. Permit Reopener for Acute Toxicity

In accordance with 40 CFR Parts 122 and 124, this permit may be modified to include new effluent limitations or permit conditions to address acute toxicity in the effluent or receiving waterbody, as a result of the discharge; or to implement new, revised, or newly interpreted water quality standards applicable to acute toxicity.

C. BASIC WATER QUALITY CRITERIA

1. The discharge shall comply with applicable water quality standards for receiving waters adopted by the DOH under HAR, Chapter 11-54, Water Quality Standards, effective November 15, 2014.
2. The discharge shall not interfere with the attainment or maintenance of that water quality which assures protection of public water supplies and the protection and propagation of a balanced indigenous population of shellfish, fish, and wildlife and allows recreational activities in and on the water.
3. The discharge of treated wastewater through Outfall Serial No. 001 shall not cause the following water quality criteria to be violated:
 - a. All State waters shall be free from pollutants in concentrations which exceed the acute standards listed in HAR 11-54-4(c)(3). All State waters shall also be free from acute toxicity as measured using the toxicity tests listed in HAR 11-54-10, or other methods specified by the DOH.
 - b. All State waters shall be free from pollutants in concentrations which on average during any 24-hour period exceed the acute standards listed in HAR 11-54-4(c)(1). All State waters shall also be free from acute toxicity as measured using the toxicity tests listed in HAR 11-54-10, or other methods specified by the DOH.
 - c. All State waters shall be free from pollutants in concentrations which, on average during any 30-day period, exceed the "fish consumption" standards for non-carcinogens in HAR 11-54-4(c)(3). All State waters shall also be free from pollutants in concentrations, which on average during any 12-month period, exceed the "fish consumption" standards for pollutants identified as carcinogens in HAR 11-54-4(c)(3).
 - d. All waters shall be free of substances attributable to domestic, industrial, or other controllable sources of pollutants, including:
 - (1) Material that will settle to form objectionable sludge or bottom deposits;
 - (2) Floating debris, oil, grease, scum, or other floating materials;
 - (3) Substances in amounts sufficient to produce taste in the water or detectable off-flavor in the flesh of fish, or in amounts sufficient to produce objectionable color, turbidity or other conditions in the receiving waters;

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- (4) High or low temperatures; biocides; pathogenic organisms; toxic, radioactive, corrosive, or other deleterious substances at levels or in combinations sufficient to be toxic or harmful to human, animal, plant, or aquatic life, or in amounts sufficient to interfere with any beneficial use of the water;
- (5) Substances or conditions or combinations thereof in concentrations which produce undesirable aquatic life; and
- (6) Soil particles resulting from erosion on land involved in earthwork, such as the construction of public works; highways; subdivisions; recreational, commercial, or industrial developments; or the cultivation and management of agricultural lands.

D. WASTEWATER POLLUTION PREVENTION PROGRAM

1. Annual Report

The Permittee shall submit an annual report summarizing critical parameters which impact the operations of the facility to the DOH by May 31st of each year, unless otherwise instructed by the DOH. The report shall include, at a minimum, an evaluation of critical parameters, including the following:

- a. Flow;
- b. BOD₅ loading;
- c. TSS loading;
- d. Toxic pollutants or impacts of septic wastes;
- e. Growth potential of the service area;
- f. Impact of new regulations;
- g. Bypasses and overflows;
- h. Effectiveness and condition of the collection system; and,
- i. Treatment capacity based on additional information.

2. Flow Rate Notification

The Permittee shall notify the DOH and the EPA in writing not later than 90 days after the 30-day average dry weather discharge flow rate equals or exceeds 75% of the actual treatment capacity of the facility as reported above in Part D.1.i. The report shall include:

- a. Date on which the 30-day average discharge flow rate equals or exceeds 75% of the actual treatment capacity of the facility.
- b. Estimate of when the 30-day average discharge flow rate will equal or exceed the actual treatment capacity of the facility.

- c. Schedule of compliance to provide additional treatment capacity before the 30-day average discharge flow rate equals the actual treatment capacity of the facility.
- 3. Implementation of the Schedule of Compliance for Flow Rate Notification
 - a. The Permittee shall comply with the provisions of the schedule of compliance after approval by the DOH.
 - b. The Permittee shall initiate contingency plans to provide additional treatment capacity not later than 90 calendar days following the date on which the 30-day average discharge flow rate equals or exceeds 85% of the actual treatment capacity of the facility as reported in Part D.1.i.
 - c. The DOH may grant a special exemption to eliminate the requirement for a contingency plan. The Permittee shall request such exemption in writing and may include the request in the annual report. The DOH shall notify the Permittee in writing of his decision.

E. PRETREATMENT REQUIREMENTS

1. The Permittee shall be responsible and liable for the performance of all Control Authority pretreatment requirements contained in 40 CFR 403, including any subsequent regulatory revisions. Where 40 CFR 403 or subsequent revisions place mandatory actions upon the Permittee as Control Authority but do not specify a timetable for completion of the actions, the Permittee shall complete the actions within six months from the issuance date of this permit or the effective date of the 40 CFR 403 revisions, whichever comes later. For violations of pretreatment requirements, the Permittee shall be subject to enforcement actions, penalties, fines, and other remedies by the EPA or other appropriate parties, as provided in the CWA. The DOH and EPA may initiate enforcement action against a nondomestic user for noncompliance with applicable standards and requirements, as provided in the CWA.
2. The Permittee shall enforce the requirements promulgated under Sections 307(b), 307(c), 307(d), and 402(b) of the CWA with timely, appropriate, and effective enforcement actions. The Permittee shall cause nondomestic users subject to the federal categorical standards to achieve compliance no later than the date specified in those requirements or, in the case of a new nondomestic user, upon commencement of the discharge.
3. The Permittee shall perform the pretreatment functions as required in 40 CFR 403 including, but not limited to:
 - a. Implementation of the necessary legal authorities as provided in 40 CFR 403.8(f)(1);
 - b. Enforcement of the pretreatment requirements in 40 CFR 403.5 and 403.6;
 - c. Implementation of the programmatic functions as provided in 40 CFR 403.8(f)(2); and
 - d. Providing the requisite funding and personnel to implement the pretreatment program as provided in 40 CFR 403.8(f)(3).
4. Specific Requirements for Oil Water Separators
 - a. All facilities, such as vehicle maintenance facilities and wash racks, discharging oil to the sanitary sewer system shall be equipped with an oil water separator designed to handle peak hydraulic loads, and to prevent the discharge of free oil or oil at a concentration greater than 50 mg/l.

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- b. The Permittee shall periodically inspect oil water separators to ensure proper operation. The Permittee shall maintain a signed written log documenting each inspection. If an oil water separator is not operating correctly, full of oil, or discharging oil to the sanitary sewer system, the Permittee shall cease all operations contributing wastewater to the oil water separator until the oil water separator has received proper maintenance.
5. The Permittee shall submit annually to the DOH and EPA (electronically to R9pretreatment@epa.gov) a report describing its pretreatment activities over the previous year. In the event that the Permittee is not in compliance with any conditions or requirements of this permit, then the Permittee shall also include the reasons for noncompliance and state how and when the Permittee shall comply with such conditions and requirements. This annual report shall cover operations from January 1 through December 31, and is due on March 31 of the following year. The report shall contain, but not be limited to, the following information:
- a. A summary of analytical results from representative, flow proportioned, 24-hour composite sampling of the facility's influent and effluent for those pollutants the EPA has identified under Section 307(a) of the Clean Water Act which are known or suspected to be discharged by nondomestic users. This will consist of wastewater sampling and analysis in accordance with the minimum frequency of analysis stated in Part A of this permit. The Permittee is not required to sample and analyze for asbestos. Sludge monitoring is covered under Part F of this permit. The Permittee shall also provide any influent or effluent monitoring data for nonpriority pollutants which the Permittee believes may be causing or contributing to interference or pass through. Sampling and analysis shall be performed with the techniques prescribed in 40 CFR 136.
 - b. A discussion of upset, interference, or pass through incidents, if any, at the treatment plant which the Permittee knows or suspects were caused by nondomestic users of the collection system. The discussion shall include the reasons why the incidents occurred, the corrective actions taken, and, if known, the name and address of the nondomestic user(s) responsible. The discussion shall also include a review of the applicable pollutant limitations to determine whether any additional limitations, or changes to existing requirements, may be necessary to prevent interference or pass through.
 - c. An updated list of the Permittee's SIUs including their names and addresses, and a list of deletions, additions, and SIU name changes keyed to the previously submitted list. The Permittee shall provide a brief

explanation for each change. The list shall identify the SIUs subject to federal categorical standards by specifying which set(s) of standards are applicable to the SIU. The list shall also indicate which SIUs are subject to local limitations.

- d. A characterization of the compliance status of each SIU by providing a list or table which includes the following information:
 - (1) The name of the SIU;
 - (2) The SIU category, if subject to federal categorical standards;
 - (3) The type of wastewater treatment or control processes in place;
 - (4) The number of samples taken by the Permittee during the year;
 - (5) The number of samples taken by the SIU during the year;
 - (6) For an SIU subject to discharge requirements for total toxic organics, whether all required certifications were provided;
 - (7) A list of the standards violated during the year. Identify whether the violations were for categorical standards or local limits;
 - (8) Whether the facility is in significant noncompliance as defined in 40 CFR 403.8(f)(2)(vii) at any time during the year; and,
 - (9) A summary of enforcement or other actions taken during the year to return the SIU to compliance. Describe the type of action, final compliance date, and the amount of fines and penalties collected, if any. Describe any proposed actions for bringing the SIU into compliance.
- e. A brief description of any programs the Permittee implements to reduce pollutants from nondomestic users that are not classified as SIUs.
- f. The implementation and compliance status of the BMP-based animal and vegetable oil and grease control program.
- g. A brief description of any significant changes in operating the pretreatment program which differ from the previous year including, but not limited to, changes concerning the program's administrative structure, local limits,

monitoring program or monitoring frequencies, legal authority, enforcement policy, funding levels, or staffing levels.

- h. A summary of the annual pretreatment budget, including the cost of pretreatment program functions and equipment purchases.
- i. A summary of activities to involve and inform the public of the program including a copy of the newspaper notice, if any, required by 40 CFR 403.8(f)(2)(vii).

F. SLUDGE/BIOSOLIDS REQUIREMENTS

1. Sludge Use/Disposal Requirements

a. General Conditions and Requirements

(1) Acceptable Sludge Use/Disposal Practices

- (a) The Permittee shall dispose of all sludge generated at the facility at a municipal solid waste landfill, at a sludge surface disposal site, by land application, or by transferring the sludge to another party for further treatment, use, or disposal in accordance with all applicable portions of 40 CFR Parts 257, 258, 503, and HAR, Chapters 11-58.1 and 11-62.
- (b) Storage of sludge for over two years from the time it is generated shall be considered to be surface disposal. The storage site shall meet all the requirements of a surface disposal site under 40 CFR 503 Subpart C and HAR, Chapters 11-58.1 and 11-62. If the Permittee desires to store sludge for longer periods of time prior to final disposal, the Permittee shall submit a written request to the EPA Regional Sludge Coordinator and DOH containing the information required under 40 CFR Section 503.20(b).
- (c) The Permittee shall dispose of sludge containing more than 50 mg/kg of PCBs in accordance with 40 CFR 761.
- (d) If the Permittee desires to dispose of sludge using a method not listed above, the Permittee shall submit a request for permit modification to EPA Regional Sludge Coordinator and DOH 180 calendar days prior to the commencement of the alternate disposal practice.

(2) Duty to Mitigate

- (a) The Permittee shall be responsible for ensuring the following:
 - (i) All sludge produced at its facility is used/disposed of in accordance with 40 CFR Parts 257, 258, 503, and HAR, Chapters 11-58.1 and 11-62, whether the Permittee uses/disposes of the sludge itself or transfers it to another party for further treatment, use, or disposal.

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- (ii) Subsequent preparers, applicers, or disposers of the sludge are informed of the requirements under 40 CFR Parts 257, 258, 503, and HAR, Chapters 11-58.1 and 11-62.
 - (iii) Sludge is not allowed to enter State waters, or to contaminate an underground drinking water source.
 - (iv) Sludge treatment, storage, use, and disposal do not create a public nuisance.
 - (v) Haulers who ship non-Class A sludge off-site for additional treatment, use, or disposal take all necessary measures to keep sludge contained.
- (b) The Permittee shall take all reasonable steps to prevent or minimize any sludge use or disposal which has a likelihood of adversely affecting human health or the environment.

(3) Other Conditions

- (a) The DOH may promptly modify or revoke and reissue this permit to incorporate any applicable standard for sewage sludge use or disposal promulgated under the Act Section 405(d), or adopted under HRS, Chapter 342D, or HAR, Chapter 11-62, if the standard is more stringent than the standard in this permit or covers a pollutant or practice not covered in this permit.
- (b) The sludge requirements in this part are supplemental to the other conditions of this permit. In the event of a conflict, those requirements more protective of the environment shall apply.
- (c) The requirements in 40 CFR 503 are enforceable by the EPA independently of being included in this permit.

b. Sludge Limitations and Monitoring Requirements

- (1) Sludge shall be limited and monitored by the Permittee as specified below:

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(a) Sludge Disposed of in Municipal Solid Waste Landfills

Monitoring Parameter/Test Procedures	Limitation	Monitoring Frequency
Paint Filter Test (EPA Method 9095B)	No "Free Liquids" ¹	1/Year
Toxicity Characteristic Leaching Procedure (TCLP) Test ²	²	1/Year
Priority Pollutants ³	N/A	1/Year ⁴

N/A = Not Applicable

¹ "Free Liquids" as defined in EPA Method 9095.

² The parameters to be tested by the TCLP test and their limitations are specified in 40 CFR 261.24, Table 1 - Maximum Concentration of Contaminants for the Toxicity Characteristic.

³ Priority pollutants are listed under the Act Section 307(a).

⁴ The Permittee shall test for priority pollutants more frequently if required under the pretreatment program.

(b) Sludge Disposed of in Surface Disposal Sites (Sludge-only Landfill or Disposal on Land Not for the Purpose of Improving Plant Growth)

Parameter	Limitation (Mg/kg)							Monitoring Frequency
	0<25 m	25<50 m	50<75 m	75<100 m	100<125 m	125<150 m	>150 m	
Arsenic ¹	30	34	39	46	53	62	73	²
Chromium ¹	200	220	260	300	360	450	600	²
Nickel ¹	210	240	270	320	390	420	420	²
TCLP Test ³	³							1/Year
Priority Pollutants ⁴	N/A							1/Year ⁵

m = Meter

N/A = Not Applicable

¹ The Permittee shall monitor for this parameter only if sludge is disposed of in a unit with no liner and leachate system. Limitations are based on the distance (meters) from the active sludge unit boundary to the nearest property line.

² Monitoring frequency shall be determined by the following table:

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Annual Production, Dry Weight (Metric Tons/Year)	Monitoring Frequency
0 - 290	1/Year (November)
290 – 1,500	1/Quarter (Feb/May/Aug/Dec)
1,500 – 15,000	6/Year (Feb/Apr/Jun/Aug/Oct/Dec)
>15,000	1/Month

- ³ The parameters to be tested by the TCLP test and their limitations are specified in 40 CFR 261.24, Table 1 - Maximum Concentration of Contaminants for the Toxicity Characteristic.
- ⁴ Priority pollutants are listed under the CWA Section 307(a).
- ⁵ The Permittee shall test for priority pollutants more frequently if required under the pretreatment program.

(c) Sludge that is Land-Applied (Added to Soil for the Purpose of Improving Plant Growth)

Monitoring Parameter/Test Procedures	Limitation	Monitoring Frequency
Arsenic	41	¹
Cadmium	39	¹
Copper	1,500	¹
Lead	300	¹
Mercury	17	¹
Molybdenum	75	¹
Nickel	420	¹
Selenium	100	¹
Zinc	2,800	¹
TCLP test ²	²	Once/Year
Priority Pollutants ³	N/A	Once/Year ⁴

¹ Monitoring frequency shall be determined by the following table:

Annual Production, Dry Weight (Metric Tons/Year)	Monitoring Frequency
0 - 290	1/Year (November)
290 – 1,500	1/Quarter (Feb/May/Aug/Dec)
1,500 – 15,000	6/Year (Feb/Apr/Jun/Aug/Oct/Dec)
>15,000	1/Month

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- 2 The parameters to be tested by the TCLP test and their limitations are specified in 40 CFR Section 261.24, Table 1 - Maximum Concentration of Contaminants for the Toxicity Characteristic and in Attachment A of this permit.
- 3 Priority pollutants are listed under the Act Section 307(a) and under Attachment B of this permit.
- 4 The Permittee shall test for priority pollutants more frequently if required under the pretreatment program.

The Permittee shall obtain and comply with the Wastewater Management Individual Permit, issued by the DOH, Wastewater Branch.

- (2) The Permittee shall develop a representative sampling plan for monitoring toxics reduction, including the number and location of sampling points.
 - (a) If sludge generated at the facility is land applied or disposed at a surface disposal site, the sampling plan shall also include pathogens and vector attraction reduction monitoring.
 - (b) If pathogen reduction is determined by time and temperature, the plan shall be designed to determine temperatures throughout the batch being treated.
 - (c) If windrow composting is used, temperature shall be measured at least once for each 150 feet of windrow, and include measurements at depths of 12 to 24 inches below the surface.
- c. Requirements for Sludge Disposed of in Municipal Solid Waste Landfill
 - (1) The Permittee shall dispose sludge in municipal solid waste landfills that meet the requirements of 40 CFR 258; and HAR, Chapter 11-58.1.
 - (2) Sludge shall not contain "free liquids" as defined by EPA Method 9095B (Paint Filter Liquids Test).
- d. Requirements for Sludge Disposed of in Surface Disposal Sites (Sludge-only Landfill or Disposal on Land Not for the Purpose of Improving Plant Growth)
 - (1) Sludge that is disposed of in a sludge-only landfill shall meet the general requirements, pollutant limits (for surface disposal sites without liners and leachate systems), management practices, and operational standards in 40 CFR 503 Subpart C and additional pollutant limits requested by the DOH.

- (2) The Permittee shall have a qualified groundwater scientist develop a groundwater monitoring program for the surface disposal site or certify that the placement of sludge on the site will not cause aquifer contamination.
- e. Requirements for Sludge that is Land-Applied (Added to Soil for the Purpose of Improving Plant Growth)
 - (1) Exceptional quality sludge shall not be subject to the general requirements specified in 40 CFR Section 503.12 and management practices under 40 CFR Section 503.14 unless the DOH determines that these requirements are necessary to protect public health and the environment.
 - (2) Preparers and appliers of non-exceptional quality sludge shall meet the general requirements and management practices specified in 40 CFR Part 503 Subpart B; Class A or B pathogen reduction levels with the associated access restrictions specified in 40 CFR Section 503.32; and one (1) of the 10 vector attraction reduction requirements specified in 40 CFR Sections 503.33(b)(1) through 503.33(b)(10).
 - (3) Preparers of non-exceptional quality sludge shall provide a written notification of the nitrogen content of the sludge to all appliers.
 - (4) Appliers of non-exceptional quality sludge shall determine the agronomic rate for the crops to be grown and certify that the sludge is applied at a rate not exceeding the agronomic rate determined for each crop.

The Permittee shall obtain and comply with the Wastewater Management Individual Permit, issued by the DOH, Wastewater Branch.

f. Notification Requirements

- (1) If sludge other than exceptional quality sludge is shipped to another state or to Indian lands, the Permittee shall notify the permitting authorities in the receiving state or Indian land (the EPA Regional Office for that area and the State or Indian authorities) 60 calendar days prior to shipment.
- (2) The Permittee shall notify the EPA Regional Sludge Coordinator and the DOH of any non-compliance that may seriously endanger public

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health or the environment within 24 hours after becoming aware of the non-compliance. A written non-compliance report shall be submitted, postmarked, or faxed within five working days after the Permittee becomes aware of the noncompliance.

- (3) The Permittee shall report all other instances of non-compliance not reported under Part G.3.d at the time discharge monitoring reports are submitted as required by Part G.2.f(1) of this permit.

g. Annual Report

By February 19th of each year, the Permittee shall submit an annual report on sludge management activities during the previous calendar year to the EPA Regional Sludge Coordinator and the DOH. The report shall provide the following information:

- (1) Total amount of sludge generated that year and a breakdown of the usage/disposal methods employed (in dry weight, metric tons).
- (2) Results of all monitoring required by Part F.1.b
- (3) If sludge was disposed in a municipal solid waste landfill, then the Permittee shall include the following certification statement:

"I certify under the penalty of law, that the paint filter test and toxicity characteristic leaching procedure test requirements have been met, and that vector attraction reduction requirements have been met by the municipal solid waste landfill. This determination has been made under my direction and supervision in accordance with the system designed to assure that qualified personnel properly gather and evaluate the information used to determine that the necessary requirements have been met. I am aware that there are significant penalties for false certification including fine and imprisonment."

- (4) If sludge was disposed in a surface disposal site, the following information shall be included:
 - (a) Requirements specified in 40 CFR 503.27.
 - (b) Name and mailing address of surface disposal operator if different from Permittee.

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- (c) Location (street address and latitude and longitude) of surface disposal site.
 - (d) Results of groundwater monitoring, or a copy of a certification by a groundwater scientist (including the scientist's name, title, and phone number) that the placement of sludge at the surface disposal site will not cause aquifer contamination.
- (5) If sludge was land-applied, the following information shall be included:
- (a) Requirements specified in 40 CFR 503.17(a) for all facilities preparing sludge for land application or reference to that facility's report, if submitted to EPA separately.
 - (b) Names and addresses of all facilities receiving the non-exceptional quality sludge, including land appliers and those facilities providing further treatment/blending prior to land application.
 - (c) Location of land application sites of non-exceptional quality sludge (street address, latitude and longitude) and sizes of parcels.
 - (d) Crops grown, agronomic rate for the crops grown, and certification by the land appliers of non-exceptional quality sludge that the sludge was applied at a rate not exceeding the agronomic rate determined for each crop.
 - (e) Copies of other certification statements by land appliers of non-exceptional quality sludge.
- (6) If sludge was stored, the following information shall also be included:
- (a) Age of stored sludge.
 - (b) Name and mailing address of operator of storage site if different from Permittee.
 - (c) Location of stored sludge (street address, latitude and longitude).
- (7) If sludge was disposed using other methods, descriptions of the methods employed and the locations (street address, latitude and longitude) of the usage/disposal sites shall be included.

(8) Annual reports shall be submitted to:

- (a) DOH, Clean Water Branch through the CWB Compliance Submittal Form for Individual NPDES Permits and NGPCs, unless otherwise specified by DOH.
- (b) EPA using EPA's NPDES Electronic Reporting Tool ("NeT") for biosolids, which went into effect December 21, 2016, unless otherwise specified by the DOH.
- (c) DOH, Wastewater Branch at the following address:

Wastewater Sludge Program Manager
Wastewater Branch
Environmental Management Division
Department of Health
2827 Waimano Home Road, Room 207
Honolulu, HI 96782

2. Requirements for Receiving Sludge

a. Approval

Upon written request by the Permittee and approval by the DOH, the Permittee may pump sludge hauled from the Permittee's other wastewater treatment plants directly to the facility's dissolved air floatation thickeners or anaerobic digesters through a sludge receiving station. The sludge receiving station shall be equipped to record the source and amount of sludge pumped to the digesters.

b. Reporting

The Permittee shall submit a monthly log reporting the sources and amounts of the sludge pumped into the digester during the calendar month. The log shall be submitted with the monthly DMRs.

c. Retraction

The DOH reserves the right to retract the approval should the facility's treatment design capacity be exceeded, the effluent discharge monitoring results be in non-compliance with this permit, or the DOH deems necessary.

G. REPORTING REQUIREMENTS

1. Transmittal and Monitoring Results Reporting Requirements

a. Certification of Transmittals

Submit all information in accordance with HAR, Section 11-55-07(b), with the following certification statement by an appropriate signatory:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

b. Include **Permit No. HI 0110141** on each transmittal.

Failure to provide the assigned permit number for this facility on future correspondence or transmittals may be a basis for delay of the processing of the submittals.

c. Reporting of Discharge and Monitoring Results

- (1) The Permittee shall report monitoring results required under this permit on Discharge Monitoring Report (DMR) forms submitted electronically using NetDMR, or as otherwise instructed by DOH. NetDMR is accessed from: <http://www.epa.gov/netdmr>.
- (2) DMRs shall be submitted electronically no later than the 28th day of the month following the completed reporting period.
- (3) For the purposes of reporting, the Permittee shall use the reporting threshold equivalent to the laboratory's method detection limit (MDL) and must utilize a standard calibration where the lowest standard point is equal to or less than the concentration of the minimum level (ML).
 - (a) The Permittee shall report sample results and calculations at or

above the laboratory's ML on DMRs as the measured concentration or calculation.

- (b) The Permittee shall report sample results and calculations below the laboratory's MDL as NODI(B) on the DMR. NODI(B) means that the concentration of the pollutant in a sample is not detected.
 - (c) The Permittee shall report sample results and calculations between the ML and MDL as NODI(Q). NODI(Q) means that the concentration of the pollutant in a sample is detected by not quantified.
 - (d) For purposes of calculating averages, zero shall be assigned for values less than the MDL and the numeric value of the MDL shall be assigned for values between the MDL and the ML. The resulting average value must be compared to the effluent limitation or the ML, whichever is greater, in assessing compliance.
 - (e) For purposes of calculating geometric means, $0.25 \times \text{MDL}$ shall be assigned for values less than the MDL and the numeric value of the MDL shall be assigned for values between the MDL and the ML. The resulting geometric mean must be compared to the effluent limitation or the ML, whichever is greater, in assessing compliance.
 - (f) When NODI(Q) or NODI(B) is reported for a parameter, the laboratory's numeric ML and MDL for that parameter shall also be noted on the DMR or on an attachment.
- (4) Should there be no discharges during the monitoring period, the DMR form shall so state.

d. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant at locations designated herein more frequently than required by this permit using approved analytical methods as specified in 40 CFR Part 136, the results of such monitoring shall be included in the calculation and reporting of the values required in the DMR form. The increased frequency shall also be indicated.

2. Reporting of Noncompliance, Unanticipated Bypass, or Upset

The following requirements replace the 24-hour notice requirements for bypasses (Standard NPDES Conditions Section 17(d)(2)(B) and 40 CFR Section 122.41(1)(6)(ii)(A)) and upsets (Standard NPDES Conditions Section 18(c)(3) and 40 CFR Section 122.41(1)(6)(ii)(B)).

a. Immediate Reporting

- (1) In the event of a bypass, upset, or sewage spill resulting in or contributing to a discharge to State waters, the Permittee shall orally notify the DOH at the time the Permittee's authorized personnel become aware of the circumstances, but no later than 24 hours after the event.
- (2) In the event of a bypass, upset, or sewage spill resulting in or contributing to a discharge of 1,000 gallons or more to State waters, the Permittee shall orally notify the DOH and the AP news wire services at the time the Permittee's authorized personnel become aware of the circumstances, but no later than 24 hours after the event.
- (3) In the event of an exceedance of a daily maximum discharge limitation, if any exist, the Permittee shall orally notify the DOH at the time the Permittee's authorized personnel becomes aware of the circumstances, but no later than 24 hours after the event.

b. Contact for Oral Reports

- (1) The Permittee shall make oral reports during regular office hours (7:45 a.m. to 4:30 p.m.) to the DOH, Clean Water Branch (CWB) at (808) 586-4309.
- (2) The Permittee shall make oral reports outside of regular office hours to the State Hospital Operator at (808) 247-2191.

c. Written Submission

- (1) For those non-compliances requiring immediate reporting, the Permittee shall submit a written non-compliance report. The Permittee shall submit the report to the DOH, CWB within five working days after the Permittee's authorized personnel becomes aware of the noncompliance.

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- (2) The report shall contain a description of the non-compliance and its cause; the period of non-compliance, including exact dates and times; if the non-compliance has not been corrected, the anticipated time it is expected to continue; public notice efforts, if any; clean-up efforts, if any; and steps taken or planned to reduce, eliminate and prevent reoccurrence of the non-compliance.
- (3) The DOH may waive the written report or the five working day deadline on a case-by-case basis for spills, bypasses, upsets, and violations of daily maximum discharge limitations if the oral report has been received within 24 hours of the non-compliance or when the Permittee's authorized personnel becomes aware of the non-compliance.
- (4) The written report shall be submitted through the CWB Compliance Submittal Form for Individual NPDES Permits and Notice of General Permit Coverages (NGPCs) or as otherwise instructed by the DOH. This form is accessible through the e-Permitting Portal website at: <https://eha-cloud.doh.hawaii.gov/epermit/>.

d. Other Non-Compliance

The Permittee shall report all other instances of noncompliance not mentioned above at the time DMRs are submitted. The noncompliance reports shall contain the information requested in Part G.2.c.(2) of this permit.

3. Other Reporting Requirements

The Permittee shall comply with the reporting requirements of 40 CFR 122.41(l)(1) through 122.41(l)(5), and 122.41(l)(8) as incorporated by Standard NPDES Permit Conditions, Section 16. Reporting requirements in Part G of this permit supersede the requirements of 40 CFR 122.41(l)(6) and 122.41(l)(7).

4. Schedule of Submission

The Permittee shall submit reports to the DOH as specified below.

Report	Reporting Period	Report Due Date
Discharge Monitoring Report	1/Month	28 th day of the month following completed reporting period

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Report	Reporting Period	Report Due Date
Sludge/Biosolids Annual Report	1/Year	February 19 of each year
Pretreatment Annual Report	1/Year	March 31 of each year
Wastewater Pollution Prevention Program Annual Report	1/Year	April 30 of each year
Effluent Monitoring Program	1/Permit Term	30 days after the effective date of this permit
Storm Water Pollution Prevention Plan	1/Permit Term	60 days after the effective date of this permit
Initial Investigation TRE Workplan	1/Permit Term	90 days after the effective date of this permit

Signed copies of reports required by this permit, except DMRs, shall be submitted to the DOH through the CWB Compliance Submittal Form for Individual NPDES Permits and NGPCs unless otherwise directed by the DOH. This form is accessible through the e-Permitting Portal website at: <https://eha-cloud.doh.hawaii.gov/epermit>.

Duplicate copies of Annual Reports shall be submitted to the EPA as specified in Parts E (Pretreatment) and F (Sludge) of this permit.

5. Types of Sample

- a. "Grab sample" means an individual sample collected at a randomly-selected time over a period not exceeding 15 minutes.
- b. "Composite sample" means a combination of at least eight (8) sample aliquots, collected at periodic intervals during the operating hours of the facility over a 24-hour period. The composite must be flow proportional; either the time interval between each aliquot or the volume of each aliquot must be proportional to either the stream flow at the time of sampling or the total stream flow since the collection of the previous aliquot. Aliquots may be collected manually or automatically.

H. SPECIAL CONDITIONS

1. The Permittee shall maintain in good working order a sufficient alternate power source for operating the wastewater treatment and disposal facilities. All equipment shall be located to minimize failure due to moisture, liquid spray, flooding, and other physical phenomena. The alternate power source shall be designed to permit inspection and maintenance and shall provide for periodic testing. If such alternate power source is not in existence, the Permittee shall halt, reduce, or otherwise control all discharges upon the reduction, loss, or failure of the primary source of power.
2. This permit may be reopened and modified, in accordance with NPDES regulations at 40 CFR 122 and 124, as necessary, to include additional conditions or limitations based on newly available information.
3. The Permittee shall submit a schedule for approval by the DOH at least 10 working days prior to any maintenance of facilities which the Permittee determines may result in effluent limitations being exceeded. The schedule shall contain a description of the maintenance and its purpose; the period of maintenance, including exact dates and times; and steps taken or planned to reduce, eliminate, and prevent occurrence of non-compliance.
4. In order to maintain compliance with the effluent limitations and prohibitions of this permit, the Permittee shall either:
 - provide an alternate power source sufficient to operate the wastewater treatment facilities;
 - or, if an alternate power source is not available,
 - halt, reduce or otherwise control production and/or all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities.

**I. LOCATION MAP, TOPOGRAPHIC MAP OF STORM WATER DISCHARGE
POINTS, REPRESENTATIVE SAMPLE LOCATIONS, FACILITY FLOW
DIAGRAM**

(See Figures 1, 2, 3, and 4)

Figure 1 – Location Map



Figure 2 – Topographic Map of Storm Water Discharge Points

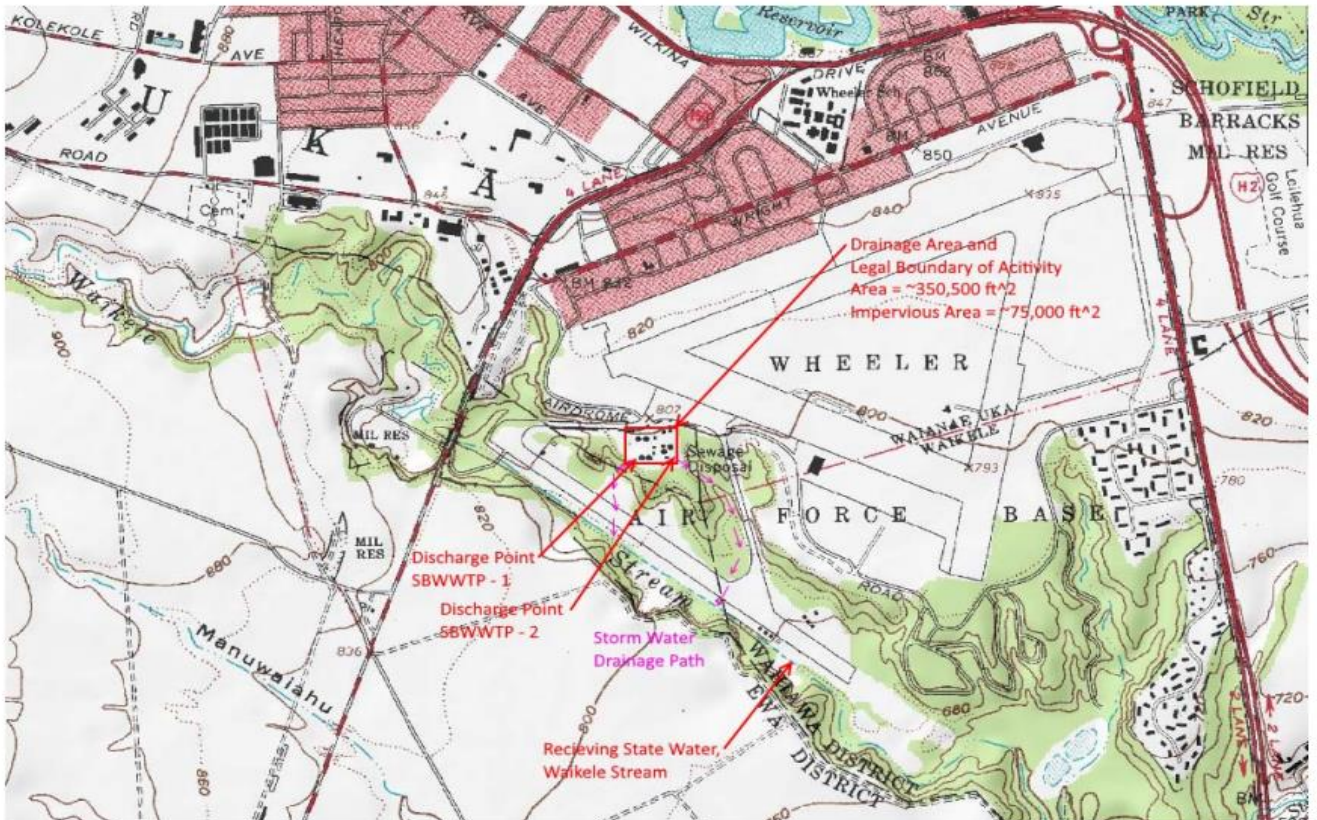
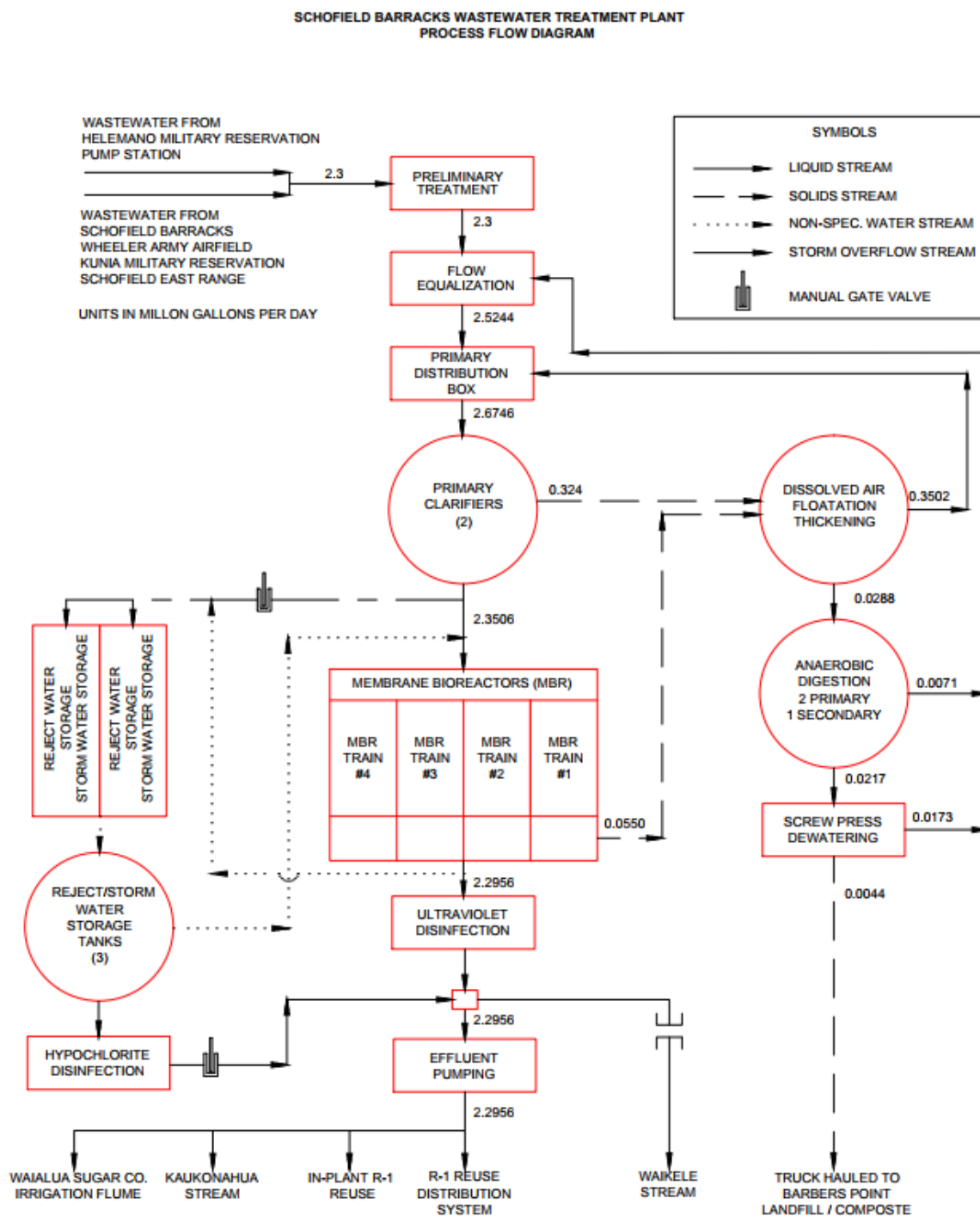


Figure 3 – Representative Sample Locations



Figure 4 – Facility Process Flow Diagram



APPENDIX 1 – MONITORING METHODS

Discharge Parameter	Sample Type	Analytical Method	Chemical Abstract No.
<i>Metals</i>			
Antimony	24-Hr Composite or Grab	As specified in 40 CFR 136	7440-36-0
Arsenic	24-Hr Composite or Grab	As specified in 40 CFR 136	7440-38-2
Beryllium	24-Hr Composite or Grab	As specified in 40 CFR 136	7440-41-7
Cadmium	24-Hr Composite or Grab	As specified in 40 CFR 136	7440-43-9
Chromium (VI)	24-Hr Composite or Grab	As specified in 40 CFR 136	18540-29-9
Copper	24-Hr Composite or Grab	As specified in 40 CFR 136	7440-50-8
Lead	24-Hr Composite or Grab	As specified in 40 CFR 136	7439-92-1
Mercury	24-Hr Composite or Grab	As specified in 40 CFR 136	7439-97-6
Nickel	24-Hr Composite or Grab	As specified in 40 CFR 136	7440-02-0
Selenium	24-Hr Composite or Grab	As specified in 40 CFR 136	7782-49-2
Silver	24-Hr Composite or Grab	As specified in 40 CFR 136	7440-22-4
Thallium	24-Hr Composite or Grab	As specified in 40 CFR 136	7440-28-0
Zinc	24-Hr Composite or Grab	As specified in 40 CFR 136	7440-66-6
<i>Pesticides</i>			
Aldrin	24-Hr Composite or Grab	As specified in 40 CFR 136	309-00-2
Chlordane	24-Hr Composite or Grab	As specified in 40 CFR 136	12789-03-6
Dieldrin	24-Hr Composite or Grab	As specified in 40 CFR 136	60-57-1
4,4'-DDT	24-Hr Composite or Grab	As specified in 40 CFR 136	50-29-3
4,4'-DDE	24-Hr Composite or Grab	As specified in 40 CFR 136	72-55-9
4,4'-DDD	24-Hr Composite or Grab	As specified in 40 CFR 136	72-54-8
Alpha-Endosulfan	24-Hr Composite or Grab	As specified in 40 CFR 136	959-98-8
Beta Endosulfan	24-Hr Composite or Grab	As specified in 40 CFR 136	33213-65-9
Endosulfan Sulfate	24-Hr Composite or Grab	As specified in 40 CFR 136	1031-07-8
Endrin	24-Hr Composite or Grab	As specified in 40 CFR 136	72-20-8
Endrin Aldehyde	24-Hr Composite or Grab	As specified in 40 CFR 136	7421-93-4
Heptachlor	24-Hr Composite or Grab	As specified in 40 CFR 136	76-44-8
Heptachlor Epoxide	24-Hr Composite or Grab	As specified in 40 CFR 136	1024-57-3
Alpha BHC	24-Hr Composite or Grab	As specified in 40 CFR 136	319-84-6
Beta BHC	24-Hr Composite or Grab	As specified in 40 CFR 136	319-85-7
Delta BHC	24-Hr Composite or Grab	As specified in 40 CFR 136	319-86-8
Gamma BHC (Lindane)	24-Hr Composite or Grab	As specified in 40 CFR 136	58-89-9
Toxaphene	24-Hr Composite or Grab	As specified in 40 CFR 136	8001-35-2
PCB 1016	24-Hr Composite or Grab	As specified in 40 CFR 136	12674-11-2
PCB 1221	24-Hr Composite or Grab	As specified in 40 CFR 136	11104-28-2
PCB 1232	24-Hr Composite or Grab	As specified in 40 CFR 136	11141-16-5
PCB 1242	24-Hr Composite or Grab	As specified in 40 CFR 136	53469-21-9
PCB 1248	24-Hr Composite or Grab	As specified in 40 CFR 136	12672-29-6
PCB 1254	24-Hr Composite or Grab	As specified in 40 CFR 136	11097-69-1
PCB 1260	24-Hr Composite or Grab	As specified in 40 CFR 136	11096-82-5
<i>Base/Neutral Extractables</i>			
Acenaphthene	24-Hr Composite or Grab	As specified in 40 CFR 136	83-32-9
Acenaphthylene	24-Hr Composite or Grab	As specified in 40 CFR 136	208-96-8
Anthracene	24-Hr Composite or Grab	As specified in 40 CFR 136	120-12-7
Benzidine	24-Hr Composite or Grab	As specified in 40 CFR 136	92-87-5
Benzo(a)Anthracene	24-Hr Composite or Grab	As specified in 40 CFR 136	56-55-3
Benzo(a)Pyrene	24-Hr Composite or Grab	As specified in 40 CFR 136	50-32-8
Benzo(b)Fluoranthene	24-Hr Composite or Grab	As specified in 40 CFR 136	205-99-2
Benzo(g,h,i)Perylene	24-Hr Composite or Grab	As specified in 40 CFR 136	191-24-2

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Discharge Parameter	Sample Type	Analytical Method	Chemical Abstract No.
Benzo(k)Fluoranthene	24-Hr Composite or Grab	As specified in 40 CFR 136	207-08-9
Bis(2-Chloroethoxy)Methane	24-Hr Composite or Grab	As specified in 40 CFR 136	111-91-1
Bis(2-Chloroethyl)Ether	24-Hr Composite or Grab	As specified in 40 CFR 136	111-44-4
Bis(2-Chloroisopropyl)Ether	24-Hr Composite or Grab	As specified in 40 CFR 136	39638-32-9
Bis(2-Ethylhexyl)Phthalate	24-Hr Composite or Grab	As specified in 40 CFR 136	117-81-7
4-Bromophenyl Phenyl Ether	24-Hr Composite or Grab	As specified in 40 CFR 136	101-55-3
Butyl Benzyl Phthalate	24-Hr Composite or Grab	As specified in 40 CFR 136	85-68-7
2-Chloronaphthalene	24-Hr Composite or Grab	As specified in 40 CFR 136	91-58-7
Chrysene	24-Hr Composite or Grab	As specified in 40 CFR 136	218-01-9
Dibenzo(a,h)Anthracene	24-Hr Composite or Grab	As specified in 40 CFR 136	53-70-3
4-Chlorophenyl Phenyl Ether	24-Hr Composite or Grab	As specified in 40 CFR 136	7005-72-3
1,2-Dichlorobenzene	24-Hr Composite or Grab	As specified in 40 CFR 136	95-50-1
1,3-Dichlorobenzene	24-Hr Composite or Grab	As specified in 40 CFR 136	541-73-1
1,4-Dichlorobenzene	24-Hr Composite or Grab	As specified in 40 CFR 136	106-46-7
3,3-Dichlorobenzidine	24-Hr Composite or Grab	As specified in 40 CFR 136	91-94-1
Diethyl Phthalate	24-Hr Composite or Grab	As specified in 40 CFR 136	84-66-2
Dimethyl Phthalate	24-Hr Composite or Grab	As specified in 40 CFR 136	131-11-3
Di-N-Butyl Phthalate	24-Hr Composite or Grab	As specified in 40 CFR 136	84-74-2
2,4-Dinitrotoluene	24-Hr Composite or Grab	As specified in 40 CFR 136	121-14-2
2,6-Dinitrotoluene	24-Hr Composite or Grab	As specified in 40 CFR 136	606-20-2
1,2-Diphenylhydrazine (as Azobenzene)	24-Hr Composite or Grab	As specified in 40 CFR 136	122-66-7
Di-N-Octyl Phthalate	24-Hr Composite or Grab	As specified in 40 CFR 136	117-84-0
Fluoranthene	24-Hr Composite or Grab	As specified in 40 CFR 136	206-44-0
Fluorene	24-Hr Composite or Grab	As specified in 40 CFR 136	86-73-7
Hexachlorobenzene	24-Hr Composite or Grab	As specified in 40 CFR 136	118-74-1
Hexachlorobutadiene	24-Hr Composite or Grab	As specified in 40 CFR 136	87-68-3
Hexachlorocyclopentadiene	24-Hr Composite or Grab	As specified in 40 CFR 136	77-47-4
Hexachloroethane	24-Hr Composite or Grab	As specified in 40 CFR 136	67-72-1
Indeno(1,2,3-cd)Pyrene	24-Hr Composite or Grab	As specified in 40 CFR 136	193-39-5
Isophorone	24-Hr Composite or Grab	As specified in 40 CFR 136	78-59-1
Naphthalene	24-Hr Composite or Grab	As specified in 40 CFR 136	91-20-3
Nitrobenzene	24-Hr Composite or Grab	As specified in 40 CFR 136	98-95-3
N-Nitrosodimethylamine	24-Hr Composite or Grab	As specified in 40 CFR 136	62-75-9
N-Nitrosodi-N-Propylamine	24-Hr Composite or Grab	As specified in 40 CFR 136	621-64-7
N-Nitrosodiphenylamine	24-Hr Composite or Grab	As specified in 40 CFR 136	86-30-6
Phenanthrene	24-Hr Composite or Grab	As specified in 40 CFR 136	85-01-8
Pyrene	24-Hr Composite or Grab	As specified in 40 CFR 136	129-00-0
1,2,4-Trichlorobenzene	24-Hr Composite or Grab	As specified in 40 CFR 136	120-82-1
Acid Extractables			
2-Chlorophenol	24-Hr Composite or Grab	As specified in 40 CFR 136	95-57-8
2,4-Dichlorophenol	24-Hr Composite or Grab	As specified in 40 CFR 136	120-83-2
2,4-Dimethylphenol	24-Hr Composite or Grab	As specified in 40 CFR 136	105-67-9
4,6-Dintro-O-Cresol	24-Hr Composite or Grab	As specified in 40 CFR 136	534-52-1
2,4-Dinitrophenol	24-Hr Composite or Grab	As specified in 40 CFR 136	51-28-5
2-Nitrophenol	24-Hr Composite or Grab	As specified in 40 CFR 136	88-75-5
4-Nitrophenol	24-Hr Composite or Grab	As specified in 40 CFR 136	100-02-7
P-Chloro-M-Cresol	24-Hr Composite or Grab	As specified in 40 CFR 136	59-50-7
Pentachlorophenol	24-Hr Composite or Grab	As specified in 40 CFR 136	87-86-5
Phenol	24-Hr Composite or Grab	As specified in 40 CFR 136	108-95-2
2,4,6-Trichlorophenol	24-Hr Composite or Grab	As specified in 40 CFR 136	88-06-2
Volatile Organics			

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Discharge Parameter	Sample Type	Analytical Method	Chemical Abstract No.
Acrolein	Grab	As specified in 40 CFR 136	107-02-8
Acrylonitrile	Grab	As specified in 40 CFR 136	107-13-1
Benzene	Grab	As specified in 40 CFR 136	71-43-2
Bromoform	Grab	As specified in 40 CFR 136	75-25-2
Carbon Tetrachloride	Grab	As specified in 40 CFR 136	56-23-5
Chlorobenzene	Grab	As specified in 40 CFR 136	108-90-7
Chlorodibromomethane	Grab	As specified in 40 CFR 136	124-48-1
Chloroethane	Grab	As specified in 40 CFR 136	75-00-3
2-Chloroethyl Vinyl Ether	Grab	As specified in 40 CFR 136	110-75-8
Chloroform	Grab	As specified in 40 CFR 136	67-66-3
Dichlorobromomethane	Grab	As specified in 40 CFR 136	75-27-4
1,1-Dichloroethane	Grab	As specified in 40 CFR 136	75-34-3
1,2-Dichloroethane	Grab	As specified in 40 CFR 136	107-06-2
1,1-Dichloroethylene	Grab	As specified in 40 CFR 136	75-35-4
1,2-Dichloropropane	Grab	As specified in 40 CFR 136	78-87-5
1,3-Dichloropropylene	Grab	As specified in 40 CFR 136	542-75-6
Ethylbenzene	Grab	As specified in 40 CFR 136	100-41-4
Methyl Bromide	Grab	As specified in 40 CFR 136	74-83-9
Methyl Chloride	Grab	As specified in 40 CFR 136	74-87-3
Methylene Chloride	Grab	As specified in 40 CFR 136	75-09-2
1,1,2,2-Tetrachloroethane	Grab	As specified in 40 CFR 136	79-34-5
Tetrachloroethylene	Grab	As specified in 40 CFR 136	127-18-4
Toluene	Grab	As specified in 40 CFR 136	108-88-3
1,2-Trans-Dichloroethylene	Grab	As specified in 40 CFR 136	156-60-5
1,1,1-Trichloroethane	Grab	As specified in 40 CFR 136	71-55-6
1,1,2-Trichloroethane	Grab	As specified in 40 CFR 136	79-00-5
Trichloroethylene	Grab	As specified in 40 CFR 136	79-01-6
Vinyl Chloride	Grab	As specified in 40 CFR 136	75-01-4
Miscellaneous			
Cyanide	24-Hr Composite or Grab	As specified in 40 CFR 136	57-12-5
Asbestos (Not required unless otherwise specified)	24-Hr Composite or Grab	As specified in 40 CFR 136	1332-21-4
2,3,7,8-Tetrachlorodibenzon-P-Dioxin (TCDD)	24-Hr Composite or Grab	As specified in 40 CFR 136	1746-01-6
Other Pesticides			
Demeton	24-Hr Composite or Grab	As specified in 40 CFR 136	8065-48-3
Guthion	24-Hr Composite or Grab	As specified in 40 CFR 136	86-50-0
Parathion	24-Hr Composite or Grab	As specified in 40 CFR 136	56-38-2
Malathion	24-Hr Composite or Grab	As specified in 40 CFR 136	121-75-5
Mirex	24-Hr Composite or Grab	As specified in 40 CFR 136	2385-85-5
Methoxychlor	24-Hr Composite or Grab	As specified in 40 CFR 136	72-43-5

APPENDIX 2 STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY

1. Coverage Under This Permit.

1.1. Eligibility.

- 1.1.1. Facilities Covered.** To be eligible to discharge under this permit, you must (1) have an allowable storm water discharge or an allowable non-storm water discharge associated with industrial activity from your primary industrial activity, as defined below, provided your primary industrial activity is included in Part 9, or (2) be notified by DOH that you are eligible for coverage under Sector AD of this permit.

Primary Industrial Activity - includes any activities performed on-site which are (1) identified by the facility's primary SIC code and included in the descriptions of 122.26(b)(14)(ii), (iii), (vi), or (viii); or (2) included in the narrative descriptions of 122.26(b)(14)(i), (iv), (v), (vii), or (ix). [For co-located activities covered by multiple SIC codes, it is recommended that the primary industrial determination be based on the value of receipts or revenues or, if such information is not available for a particular facility, the number of employees or production rate for each process may be compared. The operation that generates the most revenue or employs the most personnel is the operation in which the facility is primarily engaged. In situations where the vast majority of on-site activity falls within one SIC code, that activity may be the primary industrial activity.] Narrative descriptions in 40 CFR 122.26(b)(14) identified above include: (i) activities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards; (iv) hazardous waste treatment storage, or disposal facilities including those that are operating under interim status or a permit under subtitle C of the Resource Conservation and Recovery Act (RCRA); (v) landfills, land application sites and open dumps that receive or have received industrial wastes; (vii) steam electric power generating facilities; and (ix) sewage treatment works with a design flow of 1.0 mgd or more.

Effluent Limitations Guideline (ELG) – defined in 40 CFR § 122.2 as a regulation published by the EPA Administrator under section 304(b) of CWA to adopt or revise effluent limitations.

New Source Performance Standards (NSPS) – technology-based standards for facilities that qualify as new sources under 40 CFR 122.2 and 40 CFR 122.29.

- 1.1.3. Allowable Non-Storm Water Discharges.** Below in Part 1.1.3.1 are the only non-storm water discharges authorized under this permit for all sectors provided that all discharges comply with the effluent limits set forth

in Parts 2 and 8. In addition to the authorized non-storm water discharges in Part 1.1.3.1 applicable to all sectors, for Sector A, there is an additional non-storm water discharge in Part 1.1.3.2 below, and for the mining sectors (Sectors G, H, and J), there are additional authorized non-storm water discharges in Part 1.1.3.3 below. The additional allowable non-storm water discharges for Sectors G, H, and J apply only to discharges from earth-disturbing activities conducted prior to active mining activities as defined in Part 8.G.3.2, 8.H.3.2, and 8.J.3.2 provided that, with the exception of water used to control dust and to irrigate areas to be vegetatively stabilized, these discharges are not routed to areas of exposed soil and all discharges comply with the permit's effluent limits.

Also allowed for all sectors are discharges of storm water listed above in Parts 1.1.2 or authorized non-storm water discharges in Part 1.1.3, mixed with a discharge authorized by a different NPDES permit and/or a discharge that does not require NPDES permit authorization. All other non-storm water discharges requiring NPDES permit coverage except those specifically listed in Part 1.1.3 are not authorized by this permit. If non-storm water discharges requiring NPDES permit coverage other than those specifically authorized in Part 1.1.3, including sector-specific non-storm water discharges that are listed in Part 8 as prohibited (a non-exclusive list provided to raise awareness of contaminants or sources of contaminants characteristic of certain sectors), will be discharged, such non-storm water discharges are not authorized by this permit and must either be eliminated or covered under another NPDES permit.

1.1.3.1. Allowable Non-Storm Water Discharges for all Sectors of Industrial Activity:

- Discharges from emergency/unplanned fire-fighting activities;
- Fire hydrant flushing;
- Potable water, including water line flushing;
- Uncontaminated condensate from air conditioners, coolers/chillers, and other compressors and from the outside storage of refrigerated gases or liquids;
- Irrigation drainage;
- Landscape watering provided all pesticides, herbicides, and fertilizers have been applied in accordance with the approved labeling;
- Pavement wash waters where no detergents or hazardous cleaning products are used (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols), and the wash waters do not come into contact with oil and grease deposits, sources of pollutants associated

with industrial activities (see Part 5.2.3), or any other toxic or hazardous materials, unless residues are first cleaned up using dry clean-up methods (e.g., applying absorbent materials and sweeping, using hydrophobic mops/rags) and you have implemented appropriate control measures to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention; settlement);

Hazardous Materials or Hazardous Substances or Toxic Materials – for the purposes of this permit, any liquid, solid, or contained gas that contain properties that are dangerous or potentially harmful to human health or the environment. See also 40 CFR §261.2.

Control Measures – refers to any storm water control or other method (including narrative effluent limitations) used to prevent or reduce the discharge of pollutants to state waters.

Minimize – for the purposes of this permit, minimize means to reduce and/or eliminate to the extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practices.

- Routine external building washdown / power wash water that does not use detergents or hazardous cleaning products (e.g., those containing bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols);
- Uncontaminated ground water or spring water;
- Foundation or footing drains where flows are not contaminated with process materials; and
- Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of your facility, but not intentional discharges from the cooling tower (e.g., “piped” cooling tower blowdown; drains).

1.5.2. Permit Compliance. Any noncompliance with any of the requirements of this permit constitutes a violation of this permit, and thus is a violation of the CWA. As detailed in Part 4 (Corrective Actions) of this permit, failure to take any required corrective actions constitutes an independent, additional violation of this permit, in addition to any original violation that triggered the need for corrective action. As such, any actions and time periods specified for remedying noncompliance do not absolve parties of the initial underlying noncompliance.

Corrective Action – for the purposes of the permit, any action taken, or required to be taken, to (1) repair, modify, or replace any storm water

control used at the site; (2) clean up and dispose of spills, releases, or other deposits found on the site; and (3) remedy a permit violation.

Spill – for the purpose of this permit, the release of a hazardous or toxic substance from its container or containment.

Where corrective action is triggered by an event that does not itself constitute permit noncompliance, such as an exceedance of an applicable benchmark, there is no permit violation provided you take the required corrective action within the relevant deadlines established in Part 4.3

2. **Control Measures and Effluent Limits.** In the technology-based limits included in Parts 2.1 and 8, the term “minimize” means reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice. The term “infeasible” means not technologically possible or not economically practicable and achievable in light of best industry practices.

- 2.1. **Control Measures.** You must select, design, install, and implement control measures (including best management practices) to minimize pollutant discharges that address the selection and design considerations in Part 2.1.1, meet the non-numeric effluent limits in Part 2.1.2, meet limits contained in applicable effluent limitations guidelines in Part 2.1.3, and meet the water quality-based effluent limitations in Part 2.2. The selection, design, installation, and implementation of these control measures must be in accordance with good engineering practices and manufacturer’s specifications. Note that you may deviate from such manufacturer’s specifications where you provide justification for such deviation and include documentation of your rationale in the part of your SWPPP that describes your control measures, consistent with Part 5.2.4. If you find that your control measures are not achieving their intended effect of minimizing pollutant discharges to meet applicable water quality standards or any of the other non-numeric effluent limits in this permit, you must modify these control measures per the corrective action requirements in Part 4. Regulated storm water discharges from your facility include storm water run-on that commingles with storm water discharges associated with industrial activity at your facility.

Effluent limit requirements in Part 2.1.2 that do not involve the site-specific selection of a control measure or are specific activity requirements (e.g., “Cleaning catch basins when the depth of debris reaches two-thirds (2/3) of the sump depth and keeping the debris surface at least six inches below the lowest outlet pipe”) are marked with an asterisk (*). When documenting in your SWPPP, per Part 5, how you will comply with the requirements marked with an asterisk, you have the option of including additional

information or you may just “cut-and-paste” those effluent limits verbatim into your SWPPP without providing additional documentation (see Part 5.2.4).

2.1.1. Control Measure Selection and Design Considerations. You must consider the following when selecting and designing control measures:

- Preventing storm water from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from storm water;
- Using control measures in combination may be more effective than using control measures in isolation for minimizing pollutants in your storm water discharge;
- Assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to designing effective control measures that will achieve the limits in this permit;
- Minimizing impervious areas at your facility and infiltrating runoff onsite (including bioretention cells, green roofs, and pervious pavement, among other approaches) can reduce runoff and improve ground water recharge and stream base flows in local streams, although care must be taken to avoid ground water contamination;
- Attenuating flow using open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;
- Conserving and/or restoring riparian buffers will help protect streams from storm water runoff and improve water quality; and
- Using treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants.

2.1.2. Non-Numeric Technology-Based Effluent Limits (BPT/BAT/BCT). You must comply with the following non-numeric effluent limits (except where otherwise specified in Part 8) as well as any sector-specific non-numeric effluent limits in Part 8:

2.1.2.1. Minimize Exposure. You must minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain and runoff in order to minimize pollutant discharges by either locating these industrial materials and activities inside or protecting them with storm resistant coverings. Unless infeasible, you must also:

- Use grading, berming or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;
- Locate materials, equipment, and activities so that potential leaks and spills are contained or able to be contained or diverted before discharge;
- Clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;
- Store leaky vehicles and equipment indoors or, if stored outdoors, use drip pans and absorbents;
- Use spill/overflow protection equipment;
- Perform all vehicle and/or equipment cleaning operations indoors, under cover, or in berm areas that prevent runoff and run-on and also that capture any overspray; and
- Drain fluids from equipment and vehicles that will be decommissioned, and, for any equipment and vehicles that will remain unused for extended periods of time, inspect at least monthly for leaks.

2.1.2.2. Good Housekeeping. You must keep clean all exposed areas that are potential sources of pollutants. You must perform good housekeeping measures in order to minimize pollutant discharges, including but not limited to, the following:

- Sweep or vacuum at regular intervals or, alternatively, wash down the area and collect and/or treat, and properly dispose of the washdown water;
- Store materials in appropriate containers;
- Keep all dumpster lids closed when not in use. For dumpsters and roll off boxes that do not have lids and could leak, ensure that discharges have a control (e.g., secondary containment, treatment). Consistent with Part 1.1.3 above, this permit does not authorize dry weather discharges from dumpsters or roll off boxes; *
- Minimize the potential for waste, garbage and floatable debris to be discharged by keeping exposed areas free of such materials, or by intercepting them before they are discharged.

Plastic Materials Requirements: Facilities that handle pre-production plastic must implement best management practices to eliminate discharges of plastic in storm water. Examples of plastic material

required to be addressed as storm water pollutants include plastic resin pellets, powders, flakes, additives, regrind, scrap, waste and recycling.

- 2.1.2.3. Maintenance.** You must maintain all control measures that are used to achieve the effluent limits in this permit in effective operating condition, as well as all industrial equipment and systems, in order to minimize pollutant discharges.

Effective Operating Condition – for the purposes of this permit, a storm water control is kept in effective operating condition if it has been implemented and maintained in such a manner that it is working as designed to minimize pollutant discharges.

This includes:

- Performing inspections and preventive maintenance of storm water drainage, source controls, treatment systems, and plant equipment and systems that could fail and result in contamination of storm water.
- Diligently maintaining non-structural control measures (e.g., keep spill response supplies available, personnel appropriately trained).
- Inspecting and maintaining baghouses at least quarterly to prevent the escape of dust from the system and immediately removing any accumulated dust at the base of the exterior baghouse. *
- Cleaning catch basins when the depth of debris reaches two-thirds (2/3) of the sump depth and keeping the debris surface at least six inches below the lowest outlet pipe. *

If you find that your control measures are in need of routine maintenance, you must conduct the necessary maintenance immediately in order to minimize pollutant discharges. If you find that your control measures need to be repaired or replaced, you must immediately take all reasonable steps to prevent or minimize the discharge of pollutants until the final repair or replacement is implemented, including cleaning up any contaminated surfaces so that the material will not be discharged during subsequent storm events. Final repairs/replacement of storm water controls should be completed as soon as feasible but must be no later than the timeframe established in Part 4.3 for corrective actions, i.e., within 14 days or, if that is infeasible, within 45 days. If the completion of storm water control repairs/replacement will exceed the 45-day timeframe, you may take the minimum additional time necessary to complete the maintenance, provided that you notify the DOH of your intention to exceed 45 days, and document in your SWPPP your rationale for your modified maintenance timeframe. If a control measure was never installed, was installed incorrectly or not in

accordance with Parts 2 and/or 8, or is not being properly operated or maintained, you must conduct corrective action as specified in Part 4.

Note: In this context, the term “immediately” requires you to, on the same day you identify that a control measure needs to be maintained, take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational. However, if a problem is identified at a time in the work day when it is too late to take action, the initiation of action must begin no later than the following work day. “All reasonable steps” means that the permittee has undertaken initial actions to assess and address the condition causing the corrective action, including, for example, cleaning up any exposed materials that may be discharged in a storm event (e.g., through sweeping, vacuuming) or making arrangements (i.e., scheduling) for a new best management practice (BMP) to be installed at a later date. “All reasonable steps” for purposes of complying with

Part 4.2 Conditions Requiring SWPPP Review to Determine if Modifications Are Necessary, when you conclude a corrective action is, in fact, not necessary, could include documenting why a corrective action is unnecessary.

- 2.1.2.4. Spill Prevention and Response.** You must minimize the potential for leaks, spills and other releases that may be exposed to storm water and develop plans for effective response to such spills if or when they occur in order to minimize pollutant discharges. You must conduct spill prevention and response measures, including but not limited to, the following:
- Plainly label containers (e.g., “Used Oil,” “Spent Solvents,” “Fertilizers and Pesticides”) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur; *
 - Implement procedures for material storage and handling, including the use of secondary containment and barriers between material storage and traffic areas, or a similarly effective means designed to prevent the discharge of pollutants from these areas;
 - Develop training on the procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. As appropriate, execute such procedures as soon as possible;
 - Keep spill kits on-site, located near areas where spills may occur or where a rapid response can be made; and
 - Notify appropriate facility personnel when a leak, spill, or other release occurs.

Where a leak, spill or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302, occurs during a 24-hour period, you must notify the Clean Water Branch at (808) 586-4309 during regular office hours which are Monday through Friday (excluding holidays) from 7:45 a.m. until 4:15 p.m. or the Hawaii State Hospital Operator at (808) 247-2191 outside of regular office hours. Contact information must be in locations that are readily accessible and available.

- 2.1.2.5. Erosion and Sediment Controls.** You must minimize erosion by stabilizing exposed soils at your facility in order to minimize pollutant discharges and placing flow velocity dissipation devices at discharge locations to minimize channel and streambank erosion and scour in the immediate vicinity of discharge points. You must also use structural and non-structural control measures to minimize the discharge of sediment. The use of polymers and/or other chemical treatments as part of your controls is not covered

under this general permit. There are many resources available to help you select appropriate BMPs for erosion and sediment control, including from the EPA.

- 2.1.2.6. Management of Runoff.** You must divert, infiltrate, reuse, contain, or otherwise reduce storm water runoff to minimize pollutants in your discharges. In selecting, designing, installing, and implementing appropriate control measures, you are encouraged to consult with EPA's Internet-based resources relating to runoff management, including the sector-specific *Industrial Storm Water Fact Sheet Series*, *National Menu of Storm water BMPs*, and *National Management Measures to Control Nonpoint Source Pollution from Urban Areas*, and any similar resources.

- 2.1.2.7. Reserved.**

- 2.1.2.8. Employee Training.** You must train all employees who work in areas where industrial materials or activities are exposed to storm water, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors, maintenance personnel), including all members of your storm water pollution prevention team. You must ensure the following personnel understand the requirements of this permit and their specific responsibilities with respect to those requirements:

- Personnel who are responsible for the design, installation, maintenance, and/or repair of controls (including pollution prevention measures);

- Personnel responsible for the storage and handling of chemicals and materials that could become contaminants in storm water discharges;
- Personnel who are responsible for conducting and documenting monitoring and inspections as required in Parts 3 and 6; and
- Personnel who are responsible for taking and documenting corrective actions as required in Part 4.

Personnel must be trained in at least the following if related to the scope of their job duties (e.g., only personnel responsible for conducting inspections need to understand how to conduct inspections):

- An overview of what is in the SWPPP;
- Spill response procedures, good housekeeping, maintenance requirements, and material management practices;
- The location of all controls on the site required by this permit, and how they are to be maintained;
- The proper procedures to follow with respect to the permit's pollution prevention requirements; and
- When and how to conduct inspections, record applicable findings, and take corrective actions.

2.1.2.9. Non-Storm Water Discharges. You must evaluate for the presence of non-storm water discharges. Any non-storm water discharges not explicitly authorized in Part 1.1.3 or covered by another NPDES permit must be eliminated. This includes vehicle and equipment/tank wash water (except for those authorized in Part 1.1.3.3 for Sectors G, H, and J). If not covered under a separate NPDES permit, wastewater, wash water and any other unauthorized non-storm water must be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or otherwise disposed of appropriately.

2.1.2.10. Dust Generation and Vehicle Tracking of Industrial Materials. You must minimize generation of dust and off-site tracking of raw, final, or waste materials in order to minimize pollutant discharges.

2.1.3. Numeric Effluent Limitations Based on Effluent Limitations Guidelines. If you are in an industrial category subject to one of the effluent limitations guidelines identified in Table 6-1 (see Part 6.2.2.1), you must meet the effluent limits referenced in Table 2-1 below:

Table 2-1. Applicable Effluent Limitations Guidelines

Regulated Activity	40 CFR Part/Subpart	Effluent Limit
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	Part 429, Subpart I	See Part 8.A.7
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	Part 418, Subpart A	See Part 8.C.4
Runoff from asphalt emulsion facilities	Part 443, Subpart A	See Part 8.D.4
Runoff from material storage piles at cement manufacturing facilities	Part 411, Subpart C	See Part 8.E.5
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	Part 436, Subparts B, C, or D	See Part 8.J.9
Runoff from hazardous waste landfills	Part 445, Subpart A	See Part 8.K.6
Runoff from non-hazardous waste landfills	Part 445, Subpart B	See Part 8.L.10
Runoff from coal storage piles at steam electric generating facilities	Part 423	See Part 8.O.8
Runoff containing urea from airfield pavement deicing at existing and new primary airports with 1,000 or more annual non-propeller aircraft departures	Part 449	See Part 8.S.8

2.2. Water Quality-Based Effluent Limitations.

2.2.1. Water Quality Standards. Your discharge must be controlled as necessary to meet applicable water quality standards (i.e., your discharge must not cause or contribute to an exceedance of applicable water quality standards).

DOH expects that compliance with the conditions in this permit will control discharges as necessary to meet applicable water quality standards as described in HAR Chapter 11-55, Appendix A, Section 1). If at any time you become aware, or DOH determines, that your discharge does not meet applicable water quality standards, you must take corrective action(s)

as required in Part 4.1 and document the corrective actions as required in Part 4.4.

DOH may also require that you undertake additional control measures (to meet the narrative water quality-based effluent limit above) on a site-specific basis or require you to obtain coverage under an individual permit, if information in your NOI, required reports, or from other sources indicates that your discharges are not controlled as necessary to meet applicable water quality standards. You must implement all measures necessary to be consistent with an available waste load allocation in a DOH established and EPA approved TMDL.

2.2.2. Discharges to Water Quality-Impaired Waters. You are considered to discharge to an impaired water if the first state water to which you discharge is identified by DOH as not meeting an applicable water quality standard, and:

- Requires development of a TMDL (pursuant to section 303(d) of the CWA);
- Is addressed by a DOH established and EPA-approved TMDL; or
- Is not in either of the above categories but the waterbody is covered by a pollution control program that meets the requirements of 40 CFR 130.7(b)(1).

Note: For discharges that enter a separate storm sewer system¹ prior to discharge, the first state water to which you discharge is the waterbody that receives the water from the storm sewer system.

2.2.2.1. Existing Discharge to an Impaired Water with a DOH Established and EPA Approved TMDL. If you discharge to an impaired water with a DOH established and EPA-approved TMDL, DOH will inform you whether any additional measures are necessary for your discharge to be consistent with the assumptions and requirements of the applicable TMDL and its waste load allocation, or if coverage under an individual permit is necessary per Part 1.2.3.

2.2.2.2. Existing Discharger to an Impaired Water without a DOH established and EPA-Approved TMDL. If you discharge to an impaired water without a DOH established and EPA-approved TMDL, you are still required to comply with Part 2.2.1, and you must comply with the monitoring requirements of Part 6.2.4.1. Note that the impaired waters monitoring requirements of Part 6.2.4.1 also apply where DOH determines that your discharge is not controlled as necessary to meet applicable water quality

¹ Separate storm systems do not include combined sewer systems or sanitary sewer systems. Separate storm systems include both municipal storm sewer systems (MS4s) and non-municipal separate storm sewers.

standards in an impaired downstream water segment, even if your discharge is to a receiving water that is not identified as impaired according to Part 2.2.2.

2.2.2.3. New Discharger or New Source to an Impaired Water. If your authorization to discharge under this permit relied on Part 1.1.4.8 for a new discharger or a new source to an impaired water, you must implement and maintain any measures that enabled you to become eligible under Part 1.1.4.8, and modify such measures as necessary pursuant to any Part 4 corrective actions. You also must comply with Part 2.2.1 and the monitoring requirements of Parts 6.2.4.1.

2.3. Reserved.

3. Inspections.

3.1. Routine Facility Inspections. During normal facility operating hours, you must conduct inspections of areas of the facility covered by the requirements in this permit, including, but not limited to, the following:

- Areas where industrial materials or activities are exposed to storm water;
- Areas identified in the SWPPP and those that are potential pollutant sources (see Part 5.2.3);
- Areas where spills and leaks have occurred in the past three years;
- Discharge points; and
- Control measures used to comply with the effluent limits contained in this permit.

Inspections must be conducted at least quarterly (i.e., once each calendar quarter), or in some instances more frequently (e.g., monthly). Increased frequency may be appropriate for some types of equipment, processes and storm water control measures, or areas of the facility with significant activities and materials exposed to storm water. At least once each calendar year, the routine inspection must be conducted during a period when a storm water discharge is occurring.

Inspections must be performed by qualified personnel, as defined in below, with at least one member of your storm water pollution prevention team participating. Inspectors must consider the results of visual and analytical monitoring (if any) for the past year when planning and conducting inspections.

Qualified Personnel – qualified personnel are those who are knowledgeable in the principles and practices of industrial storm water controls and pollution prevention, and who possess the education and ability to assess conditions at the industrial facility that could impact storm water quality, and the education and ability to assess the effectiveness of storm water controls selected and installed to meet the requirements of the permit.

During the inspection you must examine or look out for the following:

- Industrial materials, residue or trash that may have or could come into contact with storm water;
- Leaks or spills from industrial equipment, drums, tanks and other containers;
- Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;
- Tracking or blowing of raw, final or waste materials from areas of no exposure to exposed areas;
- Control measures needing replacement, maintenance or repair.

During an inspection occurring during a storm water event or discharge, control measures implemented to comply with effluent limits must be observed to ensure they are functioning correctly. Discharge points, as defined below, must also be observed during this inspection. If such discharge locations are inaccessible, nearby downstream locations must be inspected.

Discharge Point – for the purposes of this permit, the location where collected and concentrated storm water flows are discharged from the facility such that the first receiving waterbody into which the discharge flows, either directly or through a separate storm sewer system, is a state water.

3.1.1. Routine Facility Inspection Documentation. You must document the findings of your facility inspections and maintain this report with your SWPPP as required in Part 5.5. Do not submit your routine facility inspection report to DOH, unless specifically requested to do so. However, you must summarize your findings in the annual report per Part 7.5. Document all findings, including but not limited to, the following information:

- The inspection date and time;

- The name(s) and signature(s) of the inspector(s);
- Weather information;
- All observations relating to the implementation of control measures at the facility, including:
 - A description of any discharges occurring at the time of the inspection;
 - Any previously unidentified discharges from and/or pollutants at the site;
 - Any evidence of, or the potential for, pollutants entering the drainage system;
 - Observations regarding the physical condition of and around all outfalls, including any flow dissipation devices, and evidence of pollutants in discharges and/or the receiving water;
 - Any control measures needing maintenance, repairs, or replacement;
- Any additional control measures needed to comply with the permit requirements;
- Any incidents of noncompliance; and
- A statement, signed and certified in accordance with HAR Chapter 11-55, Appendix A, Subsection 15.

Any corrective action required as a result of a routine facility inspection must be performed consistent with Part 4 of this permit.

If you performed a discharge visual assessment required in Part 3.2 during your facility inspection, you may include the results of the assessment with the report required in Part 3.1.1, as long as all components of both types of inspections are included in the report.

3.2. Quarterly Visual Assessment of Storm Water Discharges.

- 3.2.1. Quarterly Visual Assessment Procedures.** Once each quarter for the entire permit term, you must collect a storm water sample from each outfall (except as noted in Part 3.2.3) and conduct a visual assessment of each of these samples. These samples are not required to be collected consistent with 40 CFR Part 136 procedures but must be collected in such a manner that the samples are representative of the storm water discharge.

The visual assessment must be made:

- Of a sample in a clean, colorless glass or plastic container, and examined in a well-lit area;
- On samples collected within the first 30 minutes of an actual discharge from a storm event. If it is not possible to collect the sample within the first 30 minutes of discharge, the sample must be collected as soon as practicable after the first 30 minutes and you must document why it was not possible to take the sample within the first 30 minutes; and
- For storm events, on discharges that occur at least 72 hours (three days) from the previous discharge. The 72-hour (three-day) storm interval does not apply if you document that less than a 72-hour (three-day) interval is representative for local storm events during the sampling period.

You must visually inspect or observe the sample for the following water quality characteristics:

- Color;
- Odor;
- Clarity (diminished);
- Floating solids;
- Settled solids;
- Suspended solids;
- Foam;
- Oil sheen; and
- Other obvious indicators of storm water pollution.

Whenever the visual assessment shows evidence of storm water pollution, you must initiate the corrective action procedures in Part 4.

3.2.2. Quarterly Visual Assessment Documentation. You must document the results of your visual assessments and maintain this documentation onsite with your SWPPP as required in Part 5.5. You are not required to submit your visual assessment findings to DOH, unless specifically requested to do so. However, you must summarize your findings in the annual report per Part 7.5. Your documentation of the visual assessment must include, but not be limited to:

- Sample location(s);
- Sample collection date and time, and visual assessment date and time for each sample;
- Personnel collecting the sample and performing visual assessment, and their signatures;
- Nature of the discharge (i.e., runoff or snowmelt);
- Results of observations of the storm water discharge;
- Probable sources of any observed storm water contamination;
- If applicable, why it was not possible to take samples within the first 30 minutes; and
- A statement, signed and certified in accordance with HAR Chapter 11-55, Appendix A, Subsection 15.

Any corrective action required as a result of a quarterly visual assessment must be performed consistent with Part 4 of this permit.

3.2.3. Exceptions to Quarterly Visual Assessments.

Adverse Weather Conditions: When adverse weather conditions prevent the collection of samples during the quarter, you must take a substitute sample during the next qualifying storm event. Documentation of the rationale for no visual assessment for the quarter must be included with your SWPPP records as described in Part 5.5. Adverse conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, or situations that otherwise make sampling impractical.

Climates with Irregular Storm Water Runoff: If your facility is located in an area where limited rainfall occurs during many parts of the year (e.g., arid or semi-arid climate) that prevent runoff from occurring for extended periods, then your samples for the quarterly visual assessments may be distributed during seasons when precipitation runoff occurs.

Semi-Arid Areas – areas where annual rainfall averages from 10- to 20 inches.

Substantially Identical Outfalls: If your facility has two or more outfalls that discharge substantially identical effluents, as documented in Part 5.2.5.3, you may conduct quarterly visual assessments of the discharge at just one of the outfalls and report that the results also apply to the substantially identical outfall(s) provided that you perform visual assessments on a

rotating basis of each substantially identical outfall throughout the period of your coverage under this permit.

If storm water contamination is identified through visual assessment performed at a substantially identical outfall, you must assess and modify your control measures as appropriate for each outfall represented by the monitored outfall.

- 3.3. Authorization to Inspect.** The DOH may conduct an inspection of any facility covered by this permit to ensure compliance with state requirements, including state water quality standards.

4. Corrective Actions.

- 4.1. Conditions Requiring SWPPP Review and Revision to Ensure Effluent Limits Are Met.** When any of the following conditions occur or are detected during an inspection, monitoring or other means, or DOH or the operator of the MS4 through which you discharge informs you that any of the following conditions have occurred, you must review and revise, as appropriate, your SWPPP (e.g., sources of pollution; spill and leak procedures; non-storm water discharges; the selection, design, installation and implementation of your control measures) so that this permit's effluent limits are met and pollutant discharges are minimized:

- An unauthorized release or discharge (e.g., spill, leak, or discharge of non-storm water not authorized by this or another NPDES permit to a state water) occurs at your facility.
- A discharge violates a numeric effluent limit listed in Table 2-1 and in your Part 8 sector-specific requirements.
- Your control measures are not stringent enough for the discharge to meet applicable water quality standards or the non-numeric effluent limits in this permit.
- A required control measure was never installed, was installed incorrectly, or not in accordance with Parts 2 and/or 8 or is not being properly operated or maintained.
- Whenever a visual assessment shows evidence of storm water pollution (e.g., color, odor, floating solids, settled solids, suspended solids, foam).

- 4.2. Conditions Requiring SWPPP Review to Determine if Modifications Are Necessary.** If any of the following conditions occur, you must review your SWPPP (e.g., sources of pollution, spill and leak procedures, non-storm water discharges, selection, design, installation and implementation

of your control measures) to determine if modifications are necessary to meet the effluent limits in this permit:

- Construction or a change in design, operation, or maintenance at your facility that significantly changes the nature of pollutants discharged in storm water from your facility, or significantly increases the quantity of pollutants discharged.
- The average of four quarterly sampling results exceeds an applicable benchmark (see Part 6.2.1.2). If less than four benchmark samples have been taken, but the results are such that an exceedance of the four-quarter average is mathematically certain (i.e., if the sum of quarterly sample results to date is more than four times the benchmark level) this is considered a benchmark exceedance, triggering this review.

Note: A benchmark exceedance does not trigger a corrective action if you determine that the exceedance is solely attributable to natural background sources, or if you make a finding that no further pollutant reductions are technologically available and economically practicable and achievable in light of best industry practice (see Part 6.2.1.2).

Note: When run-on to your facility causes a benchmark exceedance, in addition to reviewing and revising, as appropriate, your SWPPP, you should notify the other operators contributing run-on to your discharges to abate their pollutant contribution. Where the other operators fail to take action to address the storm water run-on, you should contact the DOH.

4.3. Corrective Actions and Deadlines.

- 4.3.1. Immediate Actions.** If corrective action is needed, you must immediately take all reasonable steps necessary to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational, including cleaning up any contaminated surfaces so that the material will not discharge in subsequent storm events.

Note: In this context, the term “immediately” requires you to, on the same day a condition requiring corrective action is found, take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational. However, if a problem is identified at a time in the work day when it is too late to initiate corrective action, the initiation of corrective action must begin no later than the following work day. “All reasonable steps” means that the permittee has undertaken initial actions to assess and address the condition causing the corrective action, including, for example, cleaning up any exposed materials that may be discharged in a storm event (e.g., through sweeping, vacuuming) or making arrangements (i.e., scheduling) for a new BMP to be

installed at a later date. “All reasonable steps” for purposes of complying with Part 4.2 Conditions Requiring SWPPP Review to Determine if Modifications Are Necessary, when you conclude a corrective action is, in fact, not necessary, could include documenting why a corrective action is unnecessary.

- 4.3.2. Subsequent Actions.** If you determine that additional actions are necessary beyond those implemented pursuant to Part 4.3.1, you must complete the corrective actions (e.g., install a new or modified control and make it operational, complete the repair) before the next storm event if possible, and within 14 calendar days from the time of discovery of the corrective action condition. If it is infeasible to complete the corrective action within 14 calendar days, you must document why it is infeasible to complete the corrective action within the 14-day timeframe. You must also identify your schedule for completing the work, which must be done as soon as practicable after the 14-day timeframe but no longer than 45 days after discovery. If the completion of corrective action will exceed the 45-day timeframe, you may take the minimum additional time necessary to complete the corrective action, provided that you notify the DOH of your intention to exceed 45 days, your rationale for an extension, and a completion date, which you must also include in your corrective action documentation (see Part 4.4). Where your corrective actions result in changes to any of the controls or procedures documented in your SWPPP, you must modify your SWPPP accordingly within 14 calendar days of completing corrective action work.

These time intervals are not grace periods, but are schedules considered reasonable for documenting your findings and for making repairs and improvements. They are included in this permit to ensure that the conditions prompting the need for these repairs and improvements do not persist indefinitely.

- 4.4. Corrective Action Documentation.** You must document the existence of any of the conditions listed in Parts 4.1 or 4.2 within 24 hours of becoming aware of such condition. You are not required to submit your corrective action documentation to DOH, unless specifically requested to do so. However, you must summarize your findings in the annual report per Part 7.5. Include the following information in your documentation:

- Description of the condition triggering the need for corrective action review. For any spills or leaks, include the following information: a description of the incident including material, date/time, amount, location, and reason for spill, and any leaks, spills or other releases that resulted in discharges of pollutants to state waters, through storm water or otherwise;
- Date the condition was identified;

- Description of immediate actions taken pursuant to Part 4.3.1 to minimize or prevent the discharge of pollutants. For any spills or leaks, include response actions, the date/time clean-up completed, notifications made, and staff involved. Also include any measures taken to prevent the reoccurrence of such releases (see Part 2.1.2.4); and
- A statement, signed and certified in accordance with HAR Chapter 11-55, Appendix A, Subsection 15.

You must also document the corrective actions taken or to be taken as a result of the conditions listed in Part 4.1 or 4.2 (or, for triggering events in Part 4.2 where you determine that corrective action is not necessary, the basis for this determination) within 14 days from the time of discovery of any of those conditions. Provide the dates when each corrective action was initiated and completed (or is expected to be completed). If applicable, document why it is infeasible to complete the necessary installations or repairs within the 14-day timeframe and document your schedule for installing the controls and making them operational as soon as practicable after the 14-day timeframe. If you notified DOH regarding an extension of the 45-day timeframe, you must document your rationale for an extension.

4.5. Effect of Corrective Action. If the event triggering the review is a permit violation (e.g., non-compliance with an effluent limit), correcting it does not remove the original violation. Additionally, failing to take corrective action in accordance with this section is an additional permit violation. DOH will consider the appropriateness and promptness of corrective action in determining enforcement responses to permit violations.

4.6. Substantially Identical Outfalls. If the event triggering corrective action is associated with an outfall that had been identified as a “substantially identical outfall” (see Parts 3.2.3 and 6.1.1), your review must assess the need for corrective action for all related substantially identical outfalls. Any necessary changes to control measures that affect these other outfalls must also be made before the next storm event if possible, or as soon as practicable following that storm event. Any corrective actions must be conducted within the timeframes set forth in Part 4.3.

5. Storm Water Pollution Prevention Plan (SWPPP). You must prepare a SWPPP for your facility before submitting your NOI for permit coverage. If you prepared a SWPPP for coverage under a previous version of this NPDES permit, you must review and update the SWPPP to implement all provisions of this permit prior to submitting your NOI. The SWPPP does not contain effluent limitations; such limitations are contained in Parts 2, 8, and 9 of the permit. The SWPPP is intended to document the selection, design, and installation of control measures to meet the permit's effluent limits. As distinct from the SWPPP, the additional documentation requirements (see Part 5.5) are intended to document the implementation

(including inspection, maintenance, monitoring, and corrective action) of the permit requirements.

Note: Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to DOH after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the SWPPP, during an inspection, etc.

- 5.1. Person(s) Responsible for SWPPP Preparation.** The SWPPP shall be prepared in accordance with good engineering practices and to industry standards. The SWPPP may be developed by either a person on your staff or a third party you hire, but it must be developed by a “qualified person” and must be certified per the signature requirements in Part 5.2.7. If DOH concludes that the SWPPP is not in compliance with Part 5.2 of this permit, DOH may require the SWPPP to be reviewed, amended as necessary, and certified by a Professional Engineer, or for Sector G, H or J, by a Professional Geologist, with the education and experience necessary to prepare an adequate SWPPP.

Note: A “qualified person” is a person knowledgeable in the principles and practices of industrial storm water controls and pollution prevention, and possesses the education and ability to assess conditions at the industrial facility that could impact storm water quality, and the education and ability to assess the effectiveness of storm water controls selected and installed to meet the requirements of the permit.

- 5.2. Contents of Your SWPPP.** For coverage under this permit, your SWPPP must contain all of the following elements:

- Storm water pollution prevention team (see Part 5.2.1);
- Site description (see Part 5.2.2);
- Summary of potential pollutant sources (see Part 5.2.3);
- Description of control measures (see Part 5.2.4);
- Schedules and procedures (see Part 5.2.5);
- Documentation to support eligibility considerations under other federal laws (see Part 5.2.6); and
- Signature requirements (see Part 5.2.7).

Where your SWPPP refers to procedures in other facility documents, such as a Spill Prevention, Control and Countermeasure (SPCC) Plan, copies of the relevant portions of those documents must be kept with your SWPPP.

5.2.1. Storm water Pollution Prevention Team. You must identify the staff members (by name or title) that comprise the facility's storm water pollution prevention team as well as their individual responsibilities (e.g., monitoring, inspections, maintenance, etc.). Your storm water pollution prevention team is responsible for, but not limited to overseeing development of the SWPPP, any modifications to it, and for implementing and maintaining control measures and taking corrective actions when required. Each member of the storm water pollution prevention team must have ready access to either an electronic or paper copy of applicable portions of this permit, the most updated copy of your SWPPP, and other relevant documents or information that must be kept with the SWPPP.

5.2.2. Site Description. Your SWPPP must include the following:

- *Activities at the Facility.* Provide a description of the nature of the industrial activities at your facility.
- *General location map.* Provide a general location map (e.g., U.S. Geological Survey (USGS) quadrangle map) with enough detail to identify the location of your facility and all receiving waters for your storm water discharges.
- *Site map.* Provide a map showing:
 - Boundaries of the property and the size of the property in acres;
 - Location and extent of significant structures and impervious surfaces;
 - Directions of storm water flow (use arrows);
 - Locations of all storm water control measures;
 - Locations of all receiving waters, including wetlands, in the immediate vicinity of your facility. Indicate which waterbodies are listed as impaired;
 - Locations of all storm water conveyances including ditches, pipes, and swales;
 - Locations of potential pollutant sources identified under Part 5.2.3.2;
 - Locations where significant spills or leaks identified under Part 5.2.3.3 have occurred;

- Locations of all storm water monitoring points;
- Locations of storm water inlets and outfalls, with a unique identification code for each outfall (e.g., Outfall 001, 002), indicating if you are treating one or more outfalls as “substantially identical” under Parts 3.2.3, 5.2.5.3, and 6.1.1, and an approximate outline of the areas draining to each outfall;
- If applicable, MS4s and where your storm water discharges to them;
- Locations of the following activities where such activities are exposed to precipitation:
 - fueling stations;
 - vehicle and equipment maintenance and/or cleaning areas;
 - loading/unloading areas;
 - locations used for the treatment, storage, or disposal of wastes;
 - liquid storage tanks;
 - processing and storage areas;
 - immediate access roads used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;
 - transfer areas for substances in bulk;
 - machinery;
 - locations and sources of run-on to your site from adjacent property that contains significant quantities of pollutants.

5.2.3. Summary of Potential Pollutant Sources. You must describe areas at your facility where industrial materials or activities are exposed to storm water or from which allowable non-storm water discharges originate. Industrial materials or activities include, but are not limited to: material handling equipment or activities; industrial machinery; raw materials; industrial production and processes; and intermediate products, by-products, final products, and waste products. Material handling activities include, but are not limited to: the storage, loading and unloading, transportation, disposal, or conveyance of any raw material, intermediate product, final product or waste product. For structures located in areas of industrial activity, you must be aware that the structures themselves are potential sources of pollutants. This could occur, for example, when metals such as aluminum or copper are leached from the structures as a result of

acid rain.

For each area identified, the description must include:

- 5.2.3.1. Activities in the Area.** A list of the industrial activities exposed to storm water (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams).
- 5.2.3.2 Pollutants.** A list of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, cleaning solvents) associated with each identified activity, which could be exposed to rainfall and could be discharged from your facility. The pollutant list must include all significant materials that have been handled, treated, stored or disposed, and that have been exposed to storm water in the three years prior to the date you prepare or amend your SWPPP.
- Significant Materials** – includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to Section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges. See 40 CFR 122.26(b)(12).
- 5.2.3.3. Spills and Leaks.** You must document where potential spills and leaks could occur that could contribute pollutants to storm water discharges, and the corresponding outfall(s) that would be affected by such spills and leaks. You must document all significant spills and leaks of oil or toxic or hazardous substances that actually occurred at exposed areas, or that drained to a storm water conveyance, in the three years prior to the date you prepare or amend your SWPPP.
- Note: Significant spills and leaks include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under CWA section 311 (see 40 CFR 110.6 and 40 CFR 117.21) or Section 102 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC §9602. This permit does not relieve you of the reporting requirements of 40 CFR 110, 40 CFR 117, and 40 CFR 302 relating to spills or other releases of oils or hazardous substances.*
- 5.2.3.4. Unauthorized Non-Storm Water Discharges.** You must document that you have evaluated for the presence of unauthorized non-storm water discharges (see Part 1.1.3 for the exclusive list of authorized non-storm water discharges under this permit).

Documentation of your evaluation must include:

- The date of the evaluation;
- A description of the evaluation criteria used;
- A list of the outfalls or onsite drainage points that were directly observed during the evaluation; and
- The action(s) taken, such as a list of control measures used to eliminate unauthorized discharge(s), or documentation that a separate NPDES permit was obtained. For example, a floor drain was sealed, a sink drain was re-routed to sanitary, or an NPDES permit application was submitted for an unauthorized cooling water discharge.

5.2.4. Description of Control Measures to Meet Technology-Based and Water Quality-Based Effluent Limits. You must document the location and type of control measures you have specifically chosen and/or designed to comply with:

- Non-numeric technology-based effluent limits in Part 2.1.2;
- Applicable numeric effluent limitations guidelines-based limits in Part 2.1.3 and Part 8;
- Water quality-based effluent limits in Part 2.2;
- Applicable effluent limits in Parts 8 and 9.
- Regarding your control measures, you must also document, as appropriate:
 - How you addressed the selection and design considerations in Part 2.1.1;
 - How they address the pollutant sources identified in Part 5.2.3.

Effluent limit requirements in Part 2.1.2 that do not involve the site-specific selection of a control measure or are specific activity requirements (e.g., “cleaning catch basins when the depth of debris reaches two-thirds (2/3) of the sump depth and keeping the debris surface at least six inches below the lowest outlet pipe”) are marked with an asterisk (*). For the requirements marked with an asterisk, you may include extra information, or you may just “cut-and-paste” these effluent limits verbatim into your SWPPP without providing additional documentation.

5.2.5. Schedules and Procedures.

5.2.5.1. Pertaining to Control Measures Used to Comply with the Effluent Limits in Part 2. The following must be documented in your SWPPP:

- Good Housekeeping (See Part 2.1.2.2) – A schedule or the convention used for determining when pickup and disposal of waste materials occurs. Also provide a schedule for routine inspections for leaks and conditions of drums, tanks and containers.
- Maintenance (See Part 2.1.2.3) – Preventative maintenance procedures, including regular inspections, testing, maintenance and repair of all control measures to avoid situations that may result in leaks, spills, and other releases, and any back-up practices in place should a runoff event occur while a control measure is off-line. The SWPPP shall include the schedule or frequency for maintaining all control measures used to comply with the effluent limits in Part 2;
- Spill Prevention and Response Procedures (See Part 2.1.2.4) – Procedures for preventing and responding to spills and leaks, including notification procedures. For preventing spills, include in your SWPPP the control measures for material handling and storage, and the procedures for preventing spills that can contaminate storm water. Also specify cleanup equipment, procedures and spill logs, as appropriate, in the event of spills. You may reference the existence of other plans for Spill Prevention Control and Countermeasure (SPCC) developed for the facility under section 311 of the CWA or BMP programs otherwise required by an NPDES permit for the facility, provided that you keep a copy of that other plan onsite and make it available for review consistent with Part 5.4;
- Employee Training (Part 2.1.2.8) – The elements of your employee training plan shall include all, but not be limited to, the requirements set forth in Part 2.1.2.8, and also the following:
 - The content of the training;
 - The frequency/schedule of training for employees who work in areas where industrial materials or activities are exposed to storm water, or who are responsible for implementing activities necessary to meet the conditions of this permit;
 - A log of the dates on which specific employees received training.

5.2.5.2. Pertaining to Inspections and Assessments. You must document in your SWPPP your procedures for performing, as appropriate, the types of inspections specified by this permit, including:

- Routine facility inspections (see Part 3.1) and;

- Quarterly visual assessment of storm water discharges (see Part 3.2).

For each type of inspection performed, your SWPPP must identify:

- Person(s) or positions of person(s) responsible for inspection;
- Schedules for conducting inspections, including tentative schedule for facilities in climates with irregular storm water runoff discharges (see Part 3.2.3);
- Specific items to be covered by the inspection, including schedules for specific outfalls.

5.2.5.3. Pertaining to Monitoring. You must document in your SWPPP procedures for conducting the four types of analytical monitoring specified by this permit, where applicable to your facility, including:

- Benchmark monitoring (see Part 6.2.1);
- Effluent limitations guidelines monitoring (see Part 6.2.2);
- Impaired waters monitoring (see Part 6.2.4);
- Other monitoring as required by DOH (see Part 6.2.5).

For each type of monitoring, your SWPPP must document:

- Locations where samples are collected, including any determination that two or more outfalls are substantially identical;
- Parameters for sampling and the frequency of sampling for each parameter;
- Schedules for monitoring at your facility, including schedule for alternate monitoring periods for climates with irregular storm water runoff (see Part 6.1.6);
- Any numeric control values (benchmarks, effluent limitations guidelines, TMDL-related requirements, or other requirements) applicable to discharges from each outfall;
- Procedures (e.g., responsible staff, logistics, laboratory to be used) for gathering storm event data, as specified in Part 6.1.

You must document the following in your SWPPP if you plan to use the substantially identical outfall exception for your quarterly visual assessment requirements in Part 3.2.3 or your benchmark or impaired waters monitoring requirements in Parts 6.2.1 and 6.2.4.1 (see also Part 6.1.1):

- Location of each of the substantially identical outfalls;
- Description of the general industrial activities conducted in the drainage area of each outfall;
- Description of the control measures implemented in the drainage area of each outfall;
- Description of the exposed materials located in the drainage area of each outfall that are likely to be significant contributors of pollutants to storm water discharges;
- An estimate of the runoff coefficient of the drainage areas (low = under 40%; medium = 40 to 65%; high = above 65%);
- Why the outfalls are expected to discharge substantially identical effluents.

5.2.6. Reserved.

5.2.7. Signature Requirements. You must sign and date your SWPPP in accordance with HAR Chapter 11-55, Appendix A, Subsection 15.

5.3. Required SWPPP Modifications. You must modify your SWPPP based on the corrective actions and deadlines required under Part 4.3 and that you documented under Part 4.4. SWPPP modifications must be signed and dated in accordance with HAR Chapter 11-55, Appendix A, Subsection 15.

5.4. SWPPP Availability. You must retain a complete copy of your current SWPPP required by this permit at the facility in any accessible format. A complete SWPPP includes any documents incorporated by reference and all documentation supporting your permit eligibility pursuant to Part 1.1 of this permit, as well as your signed and dated certification page. Regardless of the format, the SWPPP must be immediately available to facility employees, EPA, DOH, the operator of an MS4 into which you discharge, and representatives of the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS) at the time of an onsite inspection. The DOH may request a copy of the SWPPP and the permittee is required to submit the SWPPP to the DOH within 14 days of the request. Your current SWPPP or certain information from your current SWPPP described below must also be made available to the public (except any confidential business information (CBI) or restricted information, as defined in below), but you must clearly identify those portions of the SWPPP that are being withheld from public access; to do so, you must comply with one of the following two options:

5.4.1. SWPPP Posting on the Internet. If you provide a URL in your NOI where your SWPPP can be found, and maintain your current SWPPP at this URL, you will have complied with the public availability requirements for the SWPPP. To remain current, you must post any SWPPP modifications, records and other reporting elements required for the previous year at the same URL as the main body of the SWPPP. The SWPPP update shall be no later than 45 days after conducting the final routine facility inspection for the year required in Part 3.1. If you did not provide a SWPPP URL in your NOI, you may submit to the DOH the URL using the “CWB Compliance Submittal Form for Individual NPDES and NGPCs” in the e-permitting portal where your current SWPPP can be found at any time subsequent to your original NOI submittal. You are not required to post any CBI or restricted information (as defined below) (such information may be redacted), but you must clearly identify those portions of the SWPPP that are being withheld from public access. CBI may not be withheld from those staff cleared for CBI review within DOH, EPA, USFWS or NMFS.

5.4.2. SWPPP Information Provided on NOI Form. If you did not provide a SWPPP URL in your NOI, your NOI must include the information required by Part 7.3. Irrespective of this requirement, DOH may provide access to portions of your SWPPP to a member of the public upon request (except any CBI or restricted information (as defined below)). To remain current, you must report any modifications to the SWPPP information required by Part 7.3 through submittal of a “CWB Compliance Submittal Form for Individual NPDES and NGPCs” in the e-permitting portal. The SWPPP update shall be no later than 45 days after conducting the final routine facility inspection for the year required in Part 3.1.

Confidential Business Information (CBI) – see 40 CFR Part 2 for relevant definitions of CBI: <http://www.gpo.gov/fdsys/pkg/CFR-2013-title40-vol1/pdf/CFR-2013-title40-vol1-part2-subpartB.pdf>.

Restricted Information – for the purposes of this permit, information that is privileged or that is otherwise protected from disclosure pursuant to applicable statutes, Executive Orders, or regulations. Such information includes, but is not limited to: classified national security information, protected critical infrastructure information, sensitive security information, and proprietary business information.

5.5. Additional Documentation Requirements. You are required to keep the following inspection, monitoring, and certification records with your SWPPP that together keep your records complete and up-to-date, and demonstrate your full compliance with the conditions of this permit:

- A copy of the NOI submitted to DOH along with any correspondence exchanged between you and DOH specific to coverage under this permit, including a copy of the Notice of General Permit Coverage;

- A copy of the acknowledgment you receive from the DOH assigning your NPDES File No.;
- A copy of this permit (an electronic copy easily available to SWPPP personnel is also acceptable);
- Documentation of maintenance and repairs of control measures, including the date(s) of regular maintenance, date(s) of discovery of areas in need of repair/replacement, and for repairs, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules (see Part 2.1.2.3);
- All inspection reports, including the Routine Facility Inspection Reports (see Part 3.1.1) and Quarterly Visual Assessment Reports (see Part 3.2.2);
- Description of any deviations from the schedule for visual assessments and/or monitoring, and the reason for the deviations (e.g., adverse weather or it was impracticable to collect samples within the first 30 minutes of a measurable storm event) (see Parts 3.2.3 and 6.1.5);

Measurable Storm Event – a precipitation event that results in a measurable amount of precipitation (i.e., a storm event that results in an actual discharge) and that follows the preceding storm event by at least 72 hours (3-days). The 72-hour storm interval does not apply if you document that less than a 72-hour interval is representative for local storm events.

- Corrective action documentation required per Part 4.4;
- Documentation of any benchmark exceedances and the type of response to the exceedance you employed, including:
 - the corrective action taken;
 - a finding that the exceedance was due to natural background pollutant levels;
 - a determination from DOH that benchmark monitoring can be discontinued because the exceedance was due to run-on; or
 - a finding that no further pollutant reductions were technologically available and economically practicable and achievable in light of best industry practice consistent with Part 6.2.1.2.
- Documentation to support any determination that pollutants of concern are not expected to be present above natural background levels if you

discharge directly to impaired waters, and that such pollutants were not detected in your discharge or were solely attributable to natural background sources (see Part 6.2.4.1); and

6. **Monitoring.** You must collect and analyze storm water samples and document monitoring activities consistent with the procedures described in Part 6, HAR Chapter 11-55, Appendix A, Subsections 14 and 16, must be sufficiently sensitive as defined at 40 CFR 122.21(e)(3) and 122.44(i)(1)(iv) and any additional sector-specific requirements in Parts 8. Refer to Part 7 for reporting and recordkeeping requirements.

6.1. **Monitoring Procedures.**

- 6.1.1. **Monitored Outfalls.** Applicable monitoring requirements apply to each outfall authorized by this permit, except as otherwise exempt from monitoring as a “substantially identical outfall.” If your facility has two or more outfalls that you believe discharge substantially identical effluents, based on the similarities of the general industrial activities and control measures, exposed materials that may significantly contribute pollutants to storm water, and runoff coefficients of their drainage areas, you may monitor the effluent of just one of the outfalls and report that the results also apply to the substantially identical outfall(s). As required in Part 5.2.5.3, your SWPPP must identify each outfall authorized by this permit and describe the rationale for any substantially identical outfall determinations. The allowance for monitoring only one of the substantially identical outfalls is not applicable to any outfalls with numeric effluent limitations. You are required to monitor each outfall covered by a numeric effluent limit as identified in Part 6.2.2.

- 6.1.2. **Commingled Discharges.** If discharges authorized by this permit commingle with discharges not authorized under this permit, any required sampling of the authorized discharges must be performed at a point before they mix with other waste streams, to the extent practicable.

- 6.1.3. **Measurable Storm Events.** All required monitoring must be performed on a storm event that results in an actual discharge from your site (“measurable storm event”) that follows the preceding measurable storm event by at least 72 hours (three days). The 72-hour (3-day) storm interval does not apply if you are able to document that less than a 72-hour (3-day) interval is representative for local storm events during the sampling period.

For each monitoring event, you must identify the date and duration (in hours) of the rainfall event, rainfall total (in inches) for that rainfall event, and time (in days) since the previous measurable storm event.

- 6.1.4. **Sample Type.** You must take a minimum of one grab sample from a discharge resulting from a measurable storm event as described in Part 6.1.3. Samples must be collected within the first 30 minutes of a

discharge associated with a measurable storm event. If it is not possible to collect the sample within the first 30 minutes of a measurable storm event, the sample must be collected as soon as practicable after the first 30 minutes and documentation must be kept with the SWPPP explaining why it was not possible to take samples within the first 30 minutes.

6.1.5. Adverse Weather Conditions. When adverse weather conditions as described in Part 3.2.3 prevent the collection of samples according to the relevant monitoring schedule, you must take a substitute sample during the next qualifying storm event. Adverse weather does not exempt you from having to file a benchmark monitoring report in accordance with your sampling schedule. As specified in Part 7.4, you must use NetDMR to report any failure to monitor using a “no data” or “NODI” code during the regular reporting period.

6.1.6. Climates with Irregular Storm Water Runoff. If your facility is located in areas where limited rainfall occurs during parts of the year (e.g., arid or semi-arid climates) that prevent runoff from occurring for extended periods, required monitoring events may be distributed during seasons when precipitation occurs. You must still collect the required number of samples. As specified in Part 7.4, you must also use NetDMR to report using a “no data” or “NODI” code for any of the regular reporting periods that there was no monitoring.

6.1.7. Monitoring Periods. Monitoring requirements in this permit begin in the first full quarter following either 90 days after permit issuance or your date of discharge authorization, whichever date comes later. If your monitoring is required on a quarterly basis (e.g., benchmark monitoring), you must monitor at least once in each of the following 3-month intervals:

- January 1 – March 31;
- April 1 – June 30;
- July 1 – September 30;
- October 1 – December 31.

For example, if you obtain permit coverage on July 2, 2018, then your first monitoring quarter is October 1 - December 31, 2018. This monitoring schedule may be modified in accordance with Part 6.1.6 if the revised schedule is documented with your SWPPP. However, using NetDMR you must report using a “no data” or “NODI” code for any 3-month interval that you did not take a sample.

6.1.8. Monitoring for Allowable Non-Storm water Discharges. You are only required to monitor allowable non-storm water discharges (as delineated in Part 1.1.3) when they are commingled with storm water discharges

associated with industrial activity.

6.1.9. Monitoring Reports. Discharge Monitoring Reports shall be submitted in compliance with Federal eReporting Rule requirements and monitoring data must be reported using EPA's electronic NetDMR tool at www.epa.gov/netdmr, as described in Part 7.4.

6.2. Required Monitoring. This permit includes four types of required analytical monitoring, one or more of which may apply to your discharge:

- Quarterly benchmark monitoring (see Part 6.2.1);
- Annual effluent limitations guidelines monitoring (see Part 6.2.2);
- Impaired waters monitoring (see Part 6.2.4); and
- Other monitoring as required by DOH (see Part 6.2.5).

When more than one type of monitoring for the same pollutant at the same outfall applies (e.g., total suspended solids once per year for an effluent limitation and once per quarter for benchmark monitoring at a given outfall), you may use a single sample to satisfy both monitoring requirements (i.e., one sample satisfying both the annual effluent limitation sample and one of the four quarterly benchmark monitoring samples). When the effluent limitation is lower than the benchmark concentration for the same pollutant, your corrective action trigger is based on an exceedance of the effluent limitation, which would subject you to the corrective action requirements of Part 4.1.

Note: Exceedance of an effluent limitation associated with the results of any analytical monitoring type required by this Part subjects you to the corrective action requirements of Part 4.1.

All required monitoring must be conducted in accordance with the procedures described in HAR Chapter 11-55, Appendix A, Subsection 14.

6.2.1. Benchmark Monitoring. This permit specifies pollutant benchmark concentrations that are applicable to certain sectors / subsectors. Benchmark monitoring data are primarily for your use to determine the overall effectiveness of your control measures and to assist you in determining when additional corrective action(s) may be necessary to comply with the effluent limitations in Part 2.

The benchmark concentrations are not effluent limitations; a benchmark exceedance, therefore, is not a permit violation. However, if corrective action is required as a result of a benchmark exceedance, failure to conduct required corrective action is a permit violation.

At your discretion, more than four samples may be taken during separate runoff events and used to determine the average benchmark parameter concentration for facility discharges.

- 6.2.1.1. Applicability of Benchmark Monitoring.** You must monitor for any benchmark parameters specified for the industrial sector(s), both primary industrial activity and any co-located industrial activities, applicable to your discharge. Your industry-specific benchmark concentrations are listed in the sector-specific sections of Part 8. If your facility is in one of the industrial sectors subject to benchmark concentrations that are hardness-dependent, you are required to submit to DOH with your NOI a hardness value, established consistent with the procedures in Part 12, which is representative of your receiving water.

Samples must be analyzed consistent with 40 CFR Part 136 analytical methods and using test procedures with quantitation limits at or below benchmark values and must be sufficiently sensitive as defined at 40 CFR 122.21(e)(3) and 122.44(i)(1)(iv) for all benchmark parameters for which you are required to sample.

- 6.2.1.2. Benchmark Monitoring Schedule.** Benchmark monitoring must be conducted quarterly, as identified in Part 6.1.7, for your first four full quarters of permit coverage commencing no earlier than 90 days after permit issuance.

Facilities in climates with irregular storm water runoff, as described in Part 6.1.6, may modify this quarterly schedule provided that this revised schedule is reported directly to DOH by the due date of the first benchmark sample, and that this revised schedule is kept with the facility's SWPPP as specified in Part 5.5. When conditions prevent you from obtaining four samples in four consecutive quarters, you must continue monitoring until you have the four samples required for calculating your benchmark monitoring average. As noted in Part 6.1.7, you must use NetDMR to report using a "no data" or "NODI" code for any 3-month interval that you did not take a sample.

Data not exceeding benchmarks: After collection of four quarterly samples, if the average of the four monitoring values for any parameter does not exceed the benchmark, you have fulfilled your monitoring requirements for that parameter for the permit term.

Data exceeding benchmarks: After collection of four quarterly samples, if the average of the four monitoring values for any parameter exceeds the benchmark, you must, in accordance with Part 4, review the selection, design, installation, and implementation of your control measures to determine if modifications are necessary to meet the effluent limits in this permit, and either:

- Make the necessary modifications and continue quarterly monitoring until you have completed four additional quarters of monitoring for which the average does not exceed the benchmark; or
- Make a determination that no further pollutant reductions are technologically available and economically practicable and achievable in light of best industry practice to meet the technology-based effluent limits or are necessary to meet the water-quality-based effluent limitations in Parts 2.1 and 2.2 of this permit, in which case you must continue monitoring once per year. You must also document your rationale for concluding that no further pollutant reductions are achievable, and retain all records related to this documentation with your SWPPP.

You must review your control measures and perform any required corrective action immediately (or document why no corrective action is required), per Part 4, without waiting for the full four quarters of monitoring data, when an exceedance of the four quarter average is mathematically certain. If after modifying your control measures and conducting four additional quarters of monitoring, your average still exceeds the benchmark (or if an exceedance of the benchmark by the four-quarter average is mathematically certain prior to conducting the full four additional quarters of monitoring), you must again review your control measures and take one of the two actions above.

Natural background pollutant levels: Following the first four quarters of benchmark monitoring (or sooner if the exceedance is triggered by less than four quarters of data; see above), if the average concentration of a pollutant exceeds a benchmark value, and you determine that exceedance of the benchmark is attributable solely to the presence of that pollutant in the natural background, you are not required to perform corrective action or additional benchmark monitoring provided that:

- The average concentration of your benchmark monitoring results is less than or equal to the concentration of that pollutant in the natural background; and
- You document and maintain with your SWPPP, as required in Part 5.5, your supporting rationale for concluding that benchmark exceedances are in fact attributable solely to natural background pollutant levels. You must include in your supporting rationale any data previously collected by you or others (including literature studies) that describe the levels of natural background pollutants in your storm water discharge.

Natural background pollutants are those substances that are naturally occurring in soils or ground water. Natural background pollutants do not include legacy pollutants from earlier activity on your site, or pollutants in run-on from neighboring sources which are not naturally occurring, such as

other industrial sites or roadways. However, the DOH may determine that you are eligible to discontinue monitoring for pollutants that occur solely from run-on sources.

6.2.2. Effluent Limitations Monitoring.

- 6.2.2.1. Monitoring Based on Effluent Limitations Guidelines.** Table 6-1 identifies the storm water discharges subject to effluent limitation guidelines that are authorized for coverage under this permit. An exceedance of the effluent limitation is a permit violation. Beginning in the first full quarter following 90 days after permit issuance or your date of discharge authorization, whichever date comes later, you must monitor once per year at each outfall containing the discharges identified in Table 6-1 for the parameters specified in the sector-specific section of Part 8.

Table 6-1. Required Monitoring for Effluent Limits Based on Effluent Limitations Guidelines

Regulated Activity	Effluent Limit	Monitoring Frequency	Sample Type
Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	See Part 8.A.7.	1/year	Grab
Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	See Part 8.C.4.	1/year	Grab
Runoff from asphalt emulsion facilities	See Part 8.D.4.	1/year	Grab
Runoff from material storage piles at cement manufacturing facilities	See Part 8.E.5.	1/year	Grab
Mine dewatering discharges at crushed stone, construction sand and gravel, or industrial sand mining facilities	See Part 8.J.9.	1/year	Grab
Runoff from hazardous waste landfills	See Part 8.K.6.	1/year	Grab
Runoff from non-hazardous waste landfills	See Part 8.L.10.	1/year	Grab
Runoff from coal storage piles at steam electric generating facilities	See Part 8.O.8.	1/year	Grab
Runoff containing urea from airfield pavement deicing at existing and new primary airports	See Part 8.S.8.	1/year	Grab

Regulated Activity	Effluent Limit	Monitoring Frequency	Sample Type
with 1,000 or more annual non-propeller aircraft departures.			

6.2.2.2. Substantially Identical Outfalls. You must monitor each outfall discharging runoff from any regulated activity identified in Table 6-1. The substantially identical outfall monitoring provisions are not available for numeric effluent limits monitoring.

6.2.2.3. Follow-up Actions if Discharge Exceeds Numeric Effluent Limitation. If any monitoring value exceeds a numeric effluent limitation contained in this permit, you must indicate the exceedance on a “CWB Compliance Submittal Form for Individual NPDES and NGPCs” in the e-permitting portal, and you must conduct follow-up monitoring within 30 calendar days (or during the next qualifying runoff event, should none occur within 30 days) of implementing corrective action(s) taken per Part 4. When your follow-up monitoring exceeds the applicable effluent limitation, you must:

- **Submit an Exceedance Report:** You must submit an Exceedance Report no later than 30 days after you have received your laboratory result consistent with Part 7.6; and
- **Continue to Monitor:** You must monitor, at least quarterly, until your discharge is in compliance with the effluent limit or until DOH waives the requirement for additional monitoring. Once your discharge is back in compliance with the effluent limitation you must indicate this on a “CWB Compliance Submittal Form for Individual NPDES and NGPCs” in the e-permitting portal.

6.2.3. Reserved.

6.2.4. Discharges to Impaired Waters Monitoring.

Note: For the purposes of this permit, your project is considered to discharge to an impaired water if the first state water to which you discharge is identified by the DOH pursuant to section 303(d) of the CWA as not meeting an applicable water quality standard, or has been removed from the 303(d) list either because the impairments are addressed by an DOH-approved or established TMDL or is covered by pollution control requirements that meet the requirements of 40 CFR 130.7(b)(1). For discharges that enter a separate storm sewer system² prior to discharge, the first state water to which you discharge is

² Separate storm systems do not include combined sewer systems or sanitary sewer systems. Separate storm systems include both municipal storm sewer systems (MS4s) and non-municipal separate storm sewers.

the waterbody that receives the storm water discharge from the storm sewer system.

6.2.4.1. Permittees Required to Monitor Discharges to Impaired Waters.

Discharges to impaired waters without a DOH established and EPA-approved TMDL: Beginning in the first full quarter following 90 days after permit issuance or your date of discharge authorization, whichever date comes later, you must monitor all pollutants for which the waterbody is impaired and for which a standard analytical method exists (see 40 CFR Part 136) once per year at each outfall (except substantially identical outfalls) discharging storm water to impaired waters without a DOH established and EPA-approved TMDL.

If the pollutant of concern for the impaired waterbody is suspended solids, turbidity or sediment/sedimentation, you must monitor for Total Suspended Solids (TSS). If a pollutant of concern is expressed in the form of an indicator or surrogate pollutant, you must monitor for that indicator or surrogate pollutant. No monitoring is required when a waterbody's biological communities are impaired but no pollutant, including indicator or surrogate pollutants, is specified as causing the impairment, or when a waterbody's impairment is related to hydrologic modifications, impaired hydrology, or other non-pollutant.

If the pollutant of concern is not detected and not expected to be present in your discharge, or it is detected but you have determined that its presence is caused solely by natural background sources, you may discontinue monitoring for that pollutant. To support a determination that the pollutant's presence is caused solely by natural background sources, you must document and maintain with your SWPPP, as required by Part 5.5:

- An explanation of why you believe that the presence of the pollutant of concern in your discharge is not related to the activities or materials at your facility; and
- Data and/or studies that tie the presence of the pollutant of concern in your discharge to natural background sources in the watershed.

Natural background pollutants include those that occur naturally as a result of native soils, and vegetation, wildlife, or ground water. Natural background pollutants do not include legacy pollutants from earlier activity on your site, or pollutants in run-on from neighboring sources that are not naturally occurring. However, you may be eligible to discontinue annual monitoring for pollutants that occur solely from these sources and should consult with DOH for guidance.

Discharges to impaired waters with a DOH established and EPA-approved TMDL: For storm water discharges to waters for which there is a DOH established and EPA-approved TMDL, you are not required to monitor for the pollutant(s) for which the TMDL was written unless DOH informs you, upon examination of the applicable TMDL and its waste load allocation, that you are subject to such a requirement consistent with the assumptions and requirements of the applicable TMDL and its waste load allocation. DOH's notice will include specifications on monitoring parameters and frequency. Permittees must consult with DOH for guidance regarding required monitoring under this Part.

- 6.2.5. Additional Monitoring Required by DOH. DOH may also notify you of additional discharge monitoring requirements that DOH determines are necessary to meet the permit's effluent limitations. Any such notice will briefly state the reasons for the monitoring, locations, and parameters to be monitored, frequency and period of monitoring, sample types, and reporting requirements.

7. Reporting and Recordkeeping.

- 7.1. **Electronic Reporting Requirement.** You must submit all NOIs, NOCs, NOEs, Annual Reports, Discharge Monitoring Reports (DMRs), and other reporting information as appropriate electronically via the e-Permitting Portal and in compliance with Federal eReporting Rule requirements.

- 7.2. **Submitting Information to DOH.** Most information required to be submitted by this permit shall be submitted via DOH's e-permitting portal. To access the e-permitting portal, go to <https://eha-cloud.doh.hawaii.gov/epermit/>.

Information required to be submitted to DOH via the e-permitting portal:

- Notice of Intent (Part 1.2);
- No Exposure Certification (Part 1.4);
- Notice of Cessation (Part 1.3); and
- Annual Report (Part 7.5).

Note: Discharge Monitoring Reports (see Part 7.4) are required to be submitted using EPA's NetDMR system, available at www.epa.gov/netdmr.

- 7.3. **Additional SWPPP Information Required in Your NOI.** If you did not provide a SWPPP URL in your NOI per Part 5.4.1, your NOI must include the additional SWPPP information as follows:

- Onsite industrial activities exposed to storm water, including potential spill and leak areas (see Parts 5.2.3.1 and 5.2.3.3);
- Pollutants or pollutant constituents associated with each industrial activity exposed to storm water that could be discharged in storm water and/or any authorized non-storm water discharges listed in Part 1.1.3 (see Part 5.2.3.2);
- Storm water control measures you employ to comply with the non-numeric technology-based effluent limits required in Part 2.1.2 and Part 8, and any other measures taken to comply with the requirements in Part 2.2 Water Quality -Based Effluent Limitations (see Part 5.2.4); and
- Schedule for good housekeeping and maintenance (see Part 5.2.5.1) and schedule for all inspections required in Part 3 (see Part 5.2.5.2).

7.4. Reporting Monitoring Data to DOH. Reports shall be submitted in compliance with Federal eReporting Rule requirements. All monitoring data collected pursuant to Part 6.2 must be submitted to DOH via the e-Permitting Portal and also using EPA's NetDMR system (available at www.epa.gov/netdmr) no later than 30 days after you have received your complete laboratory results for all monitoring outfalls for the reporting period. Your monitoring requirements (i.e., parameters required to be monitored and sample frequency) will be prepopulated on your electronic Discharge Monitoring Report (DMR) form based on the information you reported on your NOI form). Accordingly, the following changes to your monitoring frequency must be reported to DOH through the submittal of a "CWB Compliance Submittal Form for Individual NPDES and NGPCs" in the e-permitting portal, which will trigger changes to your monitoring requirements in NetDMR:

- All benchmark monitoring requirements have been fulfilled for the permit term;
- All impaired waters monitoring requirements have been fulfilled for the permit term;
- For Sector G2 only: Discharges from waste rock and overburden piles have exceeded benchmark values;
- A numeric effluent limitation guideline has been exceeded;
- A numeric effluent limitation guideline exceedance is back in compliance.

Once monitoring requirements have been completely fulfilled, you are no longer required to report monitoring results using NetDMR. If you have

only partially fulfilled your benchmark monitoring and/or impaired waters monitoring requirements (e.g., your four quarterly average is below the benchmark for some, but not all, parameters; you did not detect some, but not all, impairment pollutants), you must continue to use NetDMR to report your results, but you must report a “no data” or “NODI” code for any monitoring parameters that have been fulfilled.

For benchmark monitoring, note that you are required to submit sampling results to DOH no later than 30 days after receiving your complete laboratory results for all monitored outfalls for each quarter that you are required to collect benchmark samples, per Part 6.2.1.2. If you collect samples during multiple storm events in a single quarter (e.g., due to adverse weather conditions or climates with irregular storm water runoff), you are required to submit all sampling results for each storm event to DOH within 30 days of receiving all laboratory results for the event. Or, for any of your monitored outfalls that did not have a discharge within the reporting period, using NetDMR you must report using a “no data” or “NODI” code for that outfall no later than 30 days after the end of the reporting period.

7.5. Annual Report. You must submit an Annual Report to DOH electronically, per Part 7.2, by January 30th for each year of permit coverage containing information generated from the past calendar year. Also, reports shall be submitted in compliance with Federal eReporting Rule requirements. You must include the following information:

- A summary of your past year’s routine facility inspection documentation required (Part 3.1.1). A summary of your past year’s quarterly visual assessment documentation (see Part 3.2.2 of the permit);
- For any four-sample (minimum) average benchmark monitoring exceedance, if after reviewing the selection, design, installation, and implementation of your control measures and considering whether any modifications are necessary to meet the effluent limits in the permit, you determine that no further pollutant reductions are technologically available and economically practicable and achievable in light of best industry practice, your rationale for why you believe no further reductions are achievable (see Part 6.2.1.2 of the permit); and
- A summary of your past year’s corrective action documentation (see Part 4.4). If corrective action is not yet completed at the time of submission of your annual report, you must describe the status of any outstanding corrective action(s). Also describe any incidents of noncompliance in the past year or currently ongoing, or if none, provide a statement that you are in compliance with the permit.

Your Annual Report must also include a statement, signed and certified in accordance with HAR Chapter 11-55, Appendix A, Subsection 15.

7.6. Exceedance Report for Numeric Effluent Limitations. If follow-up monitoring per Part 6.2.2.4 exceeds a numeric effluent limit, you must submit an Exceedance Report to DOH no later than 30 days after you have received your laboratory results. Your report must include the following:

- NPDES File No;
- Facility name, physical address and location;
- Name of receiving water;
- Monitoring data from this and the preceding monitoring event(s);
- An explanation of the situation, including what you have done and intend to do (should your corrective actions not yet be complete) to correct the violation;
- An appropriate contact name and phone number.

Send the Exceedance Report to DOH using the “CWB Compliance Submittal Form for Individual NPDES and NGPCs” form via the e-Permitting Portal and report the monitoring data through NetDMR.

7.7. Additional Reporting. In addition to the reporting requirements stipulated in Part 7, you are also subject to the standard permit reporting provisions of HAR Chapter 11-55, Appendix A, Subsection 16. Reports shall be submitted to DOH using the “CWB Compliance Submittal Form for Individual NPDES and NGPCs” form via the e-Permitting Portal and in compliance with Federal eReporting Rule requirements.

You must submit the following reports to the DOH. If you discharge through an MS4, you must also submit these reports to the MS4 operator (identified pursuant to Part 5.2.2).

- 24-hour reporting – You must report any noncompliance which may endanger health or the environment. Any information must be provided orally within 24 hours from the time you become aware of the circumstances;
- 5-day follow-up reporting to the 24-hour reporting – A written submission must also be provided within five days of the time you become aware of the circumstances;

- Reportable quantity spills – You must provide notification, as required under Part 2.1.2.4, as soon as you have knowledge of a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity;
- Planned changes – You must give notice to DOH promptly, no fewer than 30 days prior to making any planned physical alterations or additions to the permitted facility that qualify the facility as a new source or that could significantly change the nature or significantly increase the quantity of pollutants discharged;
- Anticipated noncompliance – You must give advance notice to DOH of any planned changes in the permitted facility or activity which you anticipate will result in noncompliance with permit requirements;
- Compliance schedules – Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days following each schedule date;
- Other noncompliance – You must report all instances of noncompliance not reported in your monitoring report (pursuant to Part 7.1), compliance schedule report, or 24-hour report at the time monitoring reports are submitted; and
- Other information – You must promptly submit facts or information if you become aware that you failed to submit relevant facts in your NOI, or that you submitted incorrect information in your NOI or in any report.

7.8. Recordkeeping. You must retain copies of your SWPPP (including any modifications made during the term of this permit), additional documentation requirements pursuant to Part 5.5 (including documentation related to corrective actions taken pursuant to Part 4), all reports and certifications required by this permit, monitoring data, and records of all data used to complete the NOI to be covered by this permit, for a period of at least three years from the date that your coverage under this permit expires or is terminated.

Part 8 Sector-Specific Requirements for Industrial Activity

8.T.1 Industrial Activities Covered by Sector T

The requirements in Subpart T apply to storm water discharges associated with industrial activity from Treatment Works as identified by the Activity Code specified under Sector T in Table 9 of Part 9 of the permit.

8.T.2 Industrial Activities Covered by Sector T.

The requirements listed under this part apply to all existing point source storm water discharges associated with the following activities:

- 8.T.2.1** Treatment works treating domestic sewage, or any other sewage sludge or wastewater treatment device or system used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge; that are located within the confines of a facility with a design flow of 1.0 million gallons per day (MGD) or more; or are required to have an approved pretreatment program under 40 CFR Part 403.
- 8.T.2.2** The following are not required to have permit coverage: farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located within the facility, or areas that are in compliance with Section 405 of the CWA.

8.T.3 Limitations on Coverage.

- 8.T.3.1 Prohibition of Non-Storm Water Discharges.** (See also Part 1.1.4) Sanitary and industrial wastewater and equipment and vehicle wash water are not authorized by this permit. (DOH includes these prohibited non-storm water discharges here solely as a helpful reminder to the operator that the only non-storm water discharges authorized by this permit are at Part 1.1.3.)

8.T.4 Additional Technology-Based Effluent Limits.

- 8.T.4.1 Control Measures.** (See also Part 2.1.2) To minimize the discharge of pollutants in storm water, implement control measures such as the following, where determined to be feasible (list not exclusive): routing storm water to the treatment works; or covering exposed materials (i.e., from the following areas: grit, screenings and other solids handling, storage or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving station).
- 8.T.4.2 Employee Training.** (See also Part 2.1.2.8) At a minimum, training must address the following areas when applicable to a facility: petroleum product management; process chemical management; spill prevention and controls; fueling procedures; general good housekeeping practices; and proper procedures for using fertilizer, herbicides, and pesticides.

8.T.5 Additional SWPPP Requirements.

8.T.5.1 Site Map. (See also Part 5.2.2) Document in your SWPPP where any of the following may be exposed to precipitation or surface runoff: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and storage areas for process chemicals, petroleum products, solvents, fertilizers, herbicides, and pesticides.

8.T.5.2 Potential Pollutant Sources. (See also Part 5.2.3) Document in your SWPPP the following additional sources and activities that have potential pollutants associated with them, as applicable: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and access roads and rail lines.

8.T.5.3 Wastewater and Wash Water Requirements. If wastewater and/or vehicle and equipment wash water is not covered by another NPDES permit but is handled in another manner (e.g., hauled offsite, retained onsite), the disposal method must be described and all pertinent information (e.g., frequency, volume, destination) must be included in your SWPPP. Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit for this sector.

8.T.6 Additional Inspection Requirements. (See also Part 3.1)

Include the following areas in all inspections: access roads and rail lines; grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving station.